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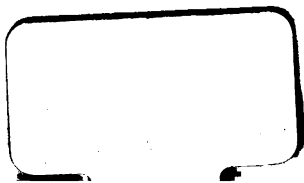
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G. A. Green 4<sup>th</sup> 352







*John Hawkes*  
*from V.T.*

AN

A C T

FOR AMENDING

CERTAIN MILE-WAYS LEADING TO OXFORD,

AND MAKING A

COMMODIOUS ENTRANCE

THROUGH THE PARISH OF ST. CLEMENT, &c.

FOR

LIGHTING, CLEANSING, AND PAVING  
THE STREETS

WITHIN THE UNIVERSITY AND CITY,

AND FOR OTHER PURPOSES.

PASSED MARCH 28, 1771. + 21

1792  
21  
1813

*Act to Amend passed 1781*  
*& again renewed 1812*

*at the end*  
*p. 81*

OXFORD:

AT THE CLARENDON PRESS.

1805.

[Cum Privilegio.]



A N

## A C T

For amending certain of the Mile-Ways leading to OXFORD; for making a commodious Entrance through the Parish of *Saint Clement*; for Re-building or Repairing *Magdalen Bridge*; for making commodious Roads from the said Bridge, through the University and City, and the Avenues leading thereto; for Cleansing and Lighting the Streets, Lanes, and Places within the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*; for removing Nuisances and Annoyances therefrom, and preventing the like for the future; for empowering Colleges and Corporations to alienate their Estates there; for Removing, Holding, and Regulating Markets within the said City; and for other Purposes.

**W**HEREAS such of the several Roads near the University and City of *Oxford* usually called the Mile-Ways, as are not Part of any Turnpike Road, are in a very bad State and Condition; and the Annual Payments directed or mentioned to be paid in lieu of every Yard Land within five Miles of the said University and City of *Oxford*, or the Franchises of the same, by an Act made in the Eighteenth Year of the Reign of Queen *Elizabeth*, intituled, "*An Act for the Repairing and Amending of the Bridges and Highways near unto the City of Oxford*," have been found insufficient to keep the said Bridges and Roads in Repair, although  
Preamble.  
18th of Elizabeth found in-  
considerable

considerable Sums of Money have been raised and added thereto by private Contribution :

*And whereas* the Bridge called *Magdalen Bridge*, over the River *Oberwell*, near *Magdalen College* in the said University, is in a decayed and very ruinous State ; by Reason whereof and of its Narrowness, and the Difficulty of Access thereto through the said Parish of *Saint Clement*, it is very inconvenient and dangerous to Travellers :

*And whereas* the Roads from the said Bridge, through the several Streets in the said University and City, to the great Roads lying on the North, South, and West Sides of the said University and City, are in many Parts so very narrow and inconvenient, and so greatly obstructed by Nuisances and Annoyances, as well as by various Encroachments and Projections, as to render the said Roads inconvenient and dangerous to Travellers :

*And whereas* the said University and City, and the Suburbs thereof, and the Parish of *Saint Clement*, are not properly cleaned or lighted, and are much annoyed by Projections and Encroachments, and subject to many Nuisances ;

May it therefore please your MAJESTY,

Commis-  
sioners.

That it may be *Enacted* ; and be it *Enacted*, by the KING'S MOST EXCELLENT MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same ; that the following Magistrates and Officers, for the Time being, of the University of *Oxford*, and of the Colleges and Halls therein, (*To wit*) The Vice-Chancellor, his Assessor, or Deputy in the University Court, all Heads or Governors of Colleges and Halls, the Canons of the Cathedral Church of *Christ*, the several Royal Professors, and all other University Professors and Prælectors, the Proctors of the University, the Publick Orator, the *Bodleian* and *Radclivian* Librarians, the Keepers of the University Archives,



Archives, the Masters of the Streets, the Registrar of the University, and the Vice-Principals of the several Halls; and also the Mayor, Recorder, Aldermen, Assistants, Bailiffs, Town-Clerk, and Solicitor of the City of *Oxford* for the Time being, and such other of the Citizens of *Oxford* as have now, or hereafter shall have served the Office of Bailiff of the said City; together with the Right Honourable *Charles Spencer*, commonly called Lord *Charles Spencer*, the Right Honourable *Robert Spencer*, commonly called Lord *Robert Spencer*, the Right Honourable the Lord Viscount *Wenman* in the Kingdom of Ireland, the Right Honourable *George Simon Harcourt*, commonly called Lord Viscount *Nuneham*, the Honourable *William Harcourt*, the Honourable *George Lane Parker*, the Honourable *Robert Lee*, the Honourable *Peregrine Bertie*, the Honourable *Richard Wenman*, the Honourable *Thomas Wenman*, the Honourable *John Tracey*, Sir *Roger Newdigate*, Sir *James Dashwood*, Sir *Charles Cotterell*, Sir *Dormer*, Sir *Banks Jenkinson*, Sir *William Stonehouse*, Sir *John Peaball*, Sir *Francis Knollys*, Sir *Gregory Turner*, Sir *Thomas Stapleton*, Baronets; Sir *William Henry Ashurst*, Sir *William Blackstone*, Sir *George Nares*, Sir *Thomas Munday*, Knights; *Francis Page*, Esquire, *Phanuell Bacon*, *Henry Barton*, *Edward Bentham*, *Thomas Bray*, *Richard Browne*, *Benjamin Buckler*, *Daniel Burton*, *Ralph Cawley*, *John Chalmers*, *Thomas Chapman*, *John Clark*, *Richard Cust*, *William Dennison*, *George Dixon*, *David Durell*, *Edward Edwards*, *Thomas Fry*, *Thomas Foibergill*, *William Gower*, *George Huddesford*, *George Horne*, *Richard Hutchinson*, *Thomas Hunt*, *Benjamin Hallifax*, *Joseph Hoare*, *John Chester Heyborne*, *John Jefferys*, *Benjamin Kennicott*, *Theophilus Leigh*, *John Long*, *John Moore*, *Tredway Nash*, *Thomas Nowell*, *Henry Parker*, *Gilbert Parker*, *Charles Pilkington*, *Francis Randolph*, *Thomas Randolph*, *John Ratcliffe*, *Christopher Robinson*, *John Sandford*, *William Sharpe*, *Thomas Sharpe*, *John Tottie*, *Ashton Thorpe*, *Francis Webber*, *Thomas West*, *Nathan Websterell*, *Thomas Winchester*, *George Windham*, *Benjamin Wheeler*, *Foley*, Doctors in Divinity; *Thomas Bever*, *Richard Brown*, *William Seward*, *Samuel Forster*, *Joseph Smith*, *James Stonehouse*, Doctors of Law; *Switbin Adee*, *John Foulkes*,

*Foulkes, John Kelly, William Lewis, Humphrey Sibthorpe, Walter Ruding, John Smith, William Vivian, Doctors of Physick; Henry Ashburst, John Aubrey, Richard Aubrey, Charles Barrow, Thomas Blackall, John Caillaud, Robert Chambers, Edward Dandridge, William Draper, John Folliott, James Hargreaves, John Hacker, Richard Head, Benjamin Holloway, Charles Jenkinson, William Ledwell, John Morton, John Nourse, Lewis Pryse, Alexander Popham, John Parker, Giles Rooke, George Augustus Schutz, Hardinge Stracey, John Treacher, James Turner, Robert Vansittart, Thomas Walker, Francis Wastie, Thomas Whorwood, George White, William Wykeham, Richard Wooddeson, John Fane, Joseph Bullock, Charles Bowles, Oldfield Bowles, Stuckley Bayntun, James Lamb, Thomas Paynton, Sayer, Gascoigne Frederick, William Lentball, John Lentball, Robert Pettyplace, Thomas Rollinson, Lock Rollinson, Farmedow Pennystone, Richard Lowndes, John Skynner, William Skynner, James Jones, William Lowndes Stone, William Lowndes, Francis Fane, Henry Mason, Philip Powis, Philip Lybbe Powis, Esquires; John Alleyne, Henry Blackstone, Richard Bowles, Thomas Cooke, John Cooke, Samuel Cooke, Clayton Cracherode, John Cox, John Chaundler, John Davey, Richard Davis, Thomas Griffith, Thomas Hawkins, Benjamin Holloway, Thomas Hornsby, Lionel Kirkham, John Lowry, Charles Mortimer, John Napleton, Richard Nicoll, Ralph Nicholson, John Noel, Stephen Pemberton, Francis Rowden, Edward Smallwell, Thomas Treacher, Phipps Weston, Edward Whitmore, Thomas Warton, William Wright, Roger Watkin, Thomas Gregory, James Reading, Paulo Tookie, Martin Stapleton, Christopher Marsball, Clerks; William Applebee, John Austin, James Burrows, Thomas Burrows, James Clarke, Charles Collins, John Curtis, Samuel Culley, John Dewe, Henry Drought, William Drought, James Eddy, Richard Finch, James Fletcher, William Fletcher, Joseph Fortnom, Samuel Fox, John Fowle, Samuel Glass, John Grosvenor, Giles Hall, Nicholas Halse, Richard Holloway, John Holman, John Horsman, William Huddesford, William Jackson, Ralph Kirby, Samuel Kilner, Robert Langford, Isaac Lawrence, Edward Lock, John Leafingby, Samuel Malbon, Richard Madge, Richard Martin, James Matthews, Joseph Meysey, Charles Moore, James Morrell, James Morten, Charles Nourse,*

*Nauwse, Sackville Parker, John Phillips, Daniel Prince, Archdale Rooke, Vincent Sboriland, James Stout, Deodatus Stone, John Stevens, Thomas Sayer, Thomas Spencer, William Elias Taunton, Richard Tawney, Joseph Tyrrell, Edward Tawney, William Thorpe, John Treacher, Thomas Tredwell, George Tonge, William Tomkins, Henry Towsey, John Townesend, Philip Ward, Benjamin Watton, John Watson, Richard Way, John Walker, Thomas Wood, Anthony Sawyer, Samuel Benwell, Richard Bew, Gentlemen; and One Person for each and every of the Colleges and Parishes in the said University and City, and the Suburbs thereof, and the said Parish of Saint Clement, to be elected in Manner hereafter mentioned, and their Successors, shall be, and they are hereby appointed Commissioners for putting this Act in Execution.*

*And be it further Enacted, That it shall and may be* <sup>For Elec-  
tion of  
Commis-  
sioners for  
the Col-  
leges.</sup>  
lawful, to and for the Head or Governor of each College within the said University, and the Masters of Arts, and Persons of superior Academical Degree, resident for the Time being within such College, and on the Foundation thereof, to meet together in their Common Dining Hall, or some other public Place, between the Hours of Nine and Twelve in the Forenoon of the Third *Tuesday* after the passing of this Act, or as soon after as conveniently may be, and the major Part of such Persons then resident, and there assembled, shall and may proceed to elect One of the Fellows, or Masters of Arts, or Persons of superior Degree on the Foundation of such their respective College, to be a Commissioner for such respective College: And in case of an Equality of Votes in the Election of a Commissioner for any such College respectively, the Head or Governor, or in his Absence his Deputy, or in their Absence, the senior Fellow present, of such College, shall have the casting Voice; and such Person so elected shall and may continue to act and be a Commissioner for putting in Execution the Powers in this Act contained, during the Time he shall actually remain a Fellow of such College, or on the Foundation thereof; provided that when and as often as any of the said Commissioners, to be chosen by their respective Col-  
leges

leges as aforesaid, shall happen to die, resign, or refuse to act, or his Fellowship, Studentship, or other Place on the Foundation shall become vacant, it shall and may be lawful within One Month after such Disqualification, Death, Resignation, Refusal, or Vacancy, for the several Voters in the College of which such Commissioner was a Member, to proceed to elect another Commissioner, in manner above-mentioned, and so *toties quoties*, as Occasion shall be or require.

For Election of Commissioners for Parishes.

*And be it further Enacted*, That the Parishioners in each and every of the said respective Parishes before-mentioned, having a Right to vote in the Election of Churchwardens, shall and may meet together in the Church or Vestry Room belonging to each Parish respectively, between the Hours of Nine and Twelve in the Forenoon, on the said Third *Tuesday* next after the passing of this Act, or as soon after as conveniently may be, and the major Part of such Parishioners, then and there assembled, shall and may proceed to the Election of One Person to be a Commissioner as aforesaid, for such respective Parish : And that in case of an Equality of Votes in the Election of a Commissioner for any such Parish, the Churchwarden standing first upon the List of Parish-Officers then present, or in case no Churchwarden shall be present, the Person then present who shall stand highest rated to the Pools Rate in the said Parish, shall have the casting Voice ; and the Name of every such Person so elected a Commissioner for each respective Parish, shall be entered in a Book to be provided and kept for that Purpose by each respective Parish, in their public Chest.

Continuance of Parish Commissioners.

*And be it further Enacted*, by the Authority aforesaid, That the Persons so elected for the said respective Parishes, shall continue Commissioners until *Easter Tuesday* One Thousand Seven Hundred and Seventy-four, and no longer ; and upon the said *Easter Tuesday* in the Year One Thousand Seven Hundred and Seventy-four, or within fourteen Days afterwards, new Commissioners shall respectively be elected in Manner aforesaid, by the said Parishioners of each and every of the Parishes before mentioned ; and that from thenceforth

forth new Commissioners shall for ever after be annually elected in Manner aforesaid.

*Provided always, and be it further Enacted*, by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, unless he shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or possessed of or intitled to a personal Estate of Eight Hundred Pounds; and if any Person not being so qualified shall presume to act, every such Person shall for every such Offence forfeit and pay the Sum of Fifty Pounds, to any Person or Persons who shall sue for the same; to be recovered, in any of his Majesty's Courts of Record, by Action of Debt, or on the Case, or by Bill, Suit, or Information, wherein no Essoign, Protection, or Wager at Law, or more than One Imparlance, shall be allowed; and every Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Penalty, on Proof given of his having acted as a Commissioner in the Execution of this Act.

Qualifica-  
tion of  
Commis-  
sioners.  
See  
21 Geo. III.  
p. 104.  
Penalty on  
acting, not  
being duly  
qualified.

*Provided always, and be it further Enacted*, by the Authority aforesaid, That when and as often as any of the said last-mentioned Commissioners, who do not derive their Power from the past or present Enjoyment of any Office, or from the Election of any College or Parish, shall die or refuse to act, then, and in every such Case, it shall and may be lawful to and for the surviving or remaining Commissioners, whether official, elective, or other, or any Five or more of them, at a Meeting to be held for that Purpose, to elect another Person or Persons in the Room of him or them so dying or refusing to act; and every Person so elected shall have the same Powers and Authorities for putting this Act in Execution, as the Person in whose stead he shall be elected was vested with.

Power  
lodged in  
Five or  
more to  
elect new  
Commis-  
sioners.

*And be it further Enacted*, by the Authority aforesaid, That no Person who shall sell Ale, Wine, or any spirituous or fermented Liquors, by retail, shall be capable of being elected, or holding any Office.

No Retail-  
er of Ale  
or spiri-  
tuous Li-  
quors ca-  
pable of

capable of acting as a Commissioner, or executing any Office under this Act.

First  
Meeting of  
Commis-  
sioners.

Provision  
for future  
Meetings.

*And be it further Enacted*, by the Authority aforesaid, That the Commissioners nominated and appointed by, or elected in pursuance of this Act, or any Seven or more of them, may and shall meet and assemble in the Town Hall in the said City on the Fourth *Tuesday* after the passing of this Act, between the Hours of Nine and Twelve in the Forenoon, in order to put this Act in Execution; and shall then, and from Time to Time afterwards, adjourn themselves to, and meet at, the same Place, or at any other convenient Place within the said University or City, as they, or the major Part of them present at such Meeting, shall appoint: And if it shall happen that there shall not appear at any Meeting, which shall be appointed to be held by the said Commissioners, a sufficient Number thereof to act and to adjourn to another Day, (Two Commissioners being always deemed sufficient for the Purpose of adjourning,) or if they shall omit or neglect to adjourn, then, and in every such Case, their Clerk, or any Three or more of the said Commissioners, shall and may call a Meeting, at the Place where the last Meeting was appointed to be held, on that Day Three Weeks, between the Hours of Nine and Twelve in the Forenoon, Notice thereof being given as hereafter is directed.

Notice to  
be given  
Two Days  
before such  
Meeting.

*Provided always, and be it Enacted*, by the Authority aforesaid, That previous to any Meeting of the said Commissioners in pursuance of this Act, subsequent to such First Meeting as aforesaid, Notice shall be given by the Clerk of the said Commissioners, and fixed at the South Gate of the Schools of the said University, and also at the Gate of the Town Hall in the said City, signifying the Time and Place of every such Meeting, Two Days at least before every such Meeting.

Commis-  
sioners not  
to act  
where in-  
terested.

*Provided always, and be it further Enacted*, by the Authority aforesaid, That no Commissioner hereby appointed, or hereafter to be appointed as aforesaid, shall be capable of acting or voting as such during the Time

Time he shall enjoy any Office of Profit under, or be concerned in any Contract made by Virtue of this Act, or in any Case wherein he shall be personally interested : And that at all Meetings to be held in pursuance of this Act, the Commissioners shall defray their own Expences. To defray their own Expences.

*Provided always,* That it shall and may be lawful to and for such of the said Commissioners as shall be in the Commission of the Peace, to act as Justices in the Execution of this Act, within their several and respective Jurisdctions, notwithstanding their being Commissioners. Commissioners may act as Justices.

*And be it further Enacted,* by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, shall cause to be erected one or more Gate or Gates, Turnpike or Turnpikes, in or across any Part or Parts of the said Mile-Ways, Streets, or Roads hereby directed to be repaired and amended as to them shall seem most proper, and also a Toll-House or Toll-Houses adjoining to each of the same respectively ; and the respective Tolls following shall be demanded and taken thereat of the Person or Persons attending any Cattle or Carriage herein after mentioned, before such Cattle or Carriage shall be permitted to pass through the same, or any of them ; (That is to say,) For every Coach, Chariot, Berlin, Chaise, Calash, or other Carriage, drawn by Six Horses or other Cattle, the Sum of One Shilling and Six-pence : For every Coach, Chaise, Berlin, Chariot, or other Carriage as aforesaid, drawn by Four Horses, or other Cattle, the Sum of One Shilling : For every Coach, Chaise, Berlin, Chariot, or other Carriage, drawn by Two Horses, the Sum of Six-pence : For every Chaise, or other Carriage, drawn by one Horse or other Beast, the Sum of Two-pence : For each Horse, or other Beast, drawing in any Waggon, Cart, Wain, or other Carriage, being a Common Stage Waggon, or travelling for Hire, the Sum of Two-pence : For each Horse or other Beast drawing in any Waggon, Cart, Wain, or Carriage, not travelling for Hire, or employed in Husbandry, the Sum of One Penny : And for every other Horse, Mare, See General Act.

Mare, Gelding, Mule, or Afs, laden or unladen, and not drawing, the Sum of One Penny : For every Drove of Oxen, or Neat Cattle, Five-pence per Score, and so in Proportion for any greater or less Number : Which Sums respectively shall be demanded in the Name of and as a Toll, and shall be and are hereby vested in the said Commissioners, and the same and every Part thereof shall be paid and applied in such Manner as is herein after mentioned and directed ; and it shall and may be lawful, to and for such Person or Persons as the said Commissioners, or any Five or more of them, under their Hands and Seals shall from Time to Time nominate and appoint, to demand and take the Tolls or Duties hereby granted and made payable ; and also to levy the same upon any Person or Persons liable to pay the same, who shall, after Demand thereof made, neglect or refuse to pay such Tolls or Duties as aforesaid, by Distress of any Carriage or Carriages, or Cattle upon which such Tolls or Duties are by this Act imposed, or by Distress of any other of the Goods and Chattels of the Person or Persons so neglecting or refusing as aforesaid, wheresoever the same may be found, and to detain and keep such Goods and Chattels so distrained until such Tolls and Duties, with the reasonable Charges of such Distress and keeping, shall be paid ; and such Person or Persons so distraining after the space of Four Days after such Distress made and taken, shall and may sell the Goods or Chattels so distrained, returning the Overplus, (if any be,) upon Demand, to the Owner thereof, after such Tolls and Duties, and the reasonable Charges for distraining, keeping, and selling the same, shall be deducted and paid.

*Provided nevertheless,* That no more than One Half of the Tolls aforesaid shall be demanded or taken for any Horse or other Cattle, drawing in any Waggon, Cart, Wain, or other Carriage, laden with Corn only, coming into the said City, through any Turnpike Gate or Turnpike Gates to be erected by the Authority of this Act, upon either of the Weekly Market Days there.

*Provided always, and be it Enacted,* by the Authority aforesaid,



aforesaid, That if any Person or Persons shall have paid the Tolls by this Act granted and ascertained for the Passing of any Cattle or Carriage through any Turnpike erected by Virtue of this Act, such Person or Persons, upon producing a Note or Ticket of the Day, denoting such Payment, shall be permitted to pass and repass through the same Turnpike, and also through all other Turnpikes erected by Virtue of this Act, with the same Cattle or Carriage, Toll-free, at any Time or Times during the same Day to be computed from Twelve of the Clock in one Night to Twelve of the Clock in the next Night; which said Note or Ticket the Collectors of the said Tolls are hereby required to give gratis (if demanded) on Receipt of such Tolls.

Tolls to be paid but once in 24 Hours.

See 21 Geo. III. p. 85.

*Provided always, and be it further Enacted*, That no Person or Persons shall be charged with any of the Tolls or Duties aforesaid, for passing through any of the Turnpikes to be erected by Virtue of this Act, with any Cattle or Carriage going empty-for, or drawing or carrying, or returning empty after having drawn or carried, any Materials for repairing the said Roads or Streets, or any Hay or Corn in the Straw, to be laid up in the Houses, Outhouses, Barns, or Yards, belonging to the respective Inhabitants of the said University, City, and Suburbs thereof, or the said Parish of *Saint Clement*, or any Manure or Compost to be laid upon Lands or Gardens, or with any Ploughs, Harrows, or other Implements of Husbandry, or with any Horses or other Cattle, going to or returning from Pasture or Watering Places, in any of the Parishes in *Oxford* aforesaid, or in the said Parish of *Saint Clement*, or going to be shod or otherwise farried, or returning therefrom, or with any Horses or Carriages drawing or carrying the Post-Mail or Pacquet, or attending any Soldiers in their March, or laden with their Arms or Baggage, or travelling with Vagrants sent by legal Passes, or going to or returning from any Election of a Knight or Knights of the Shire to serve in Parliament for the County of *Oxford*, or of a Burgess or Burgesses for the said University, or of a Citizen or Citizens for the said City of *Oxford*, on the Day or Days of such Election.

Exemption from Tolls.

*Provided*

Penalty  
claiming  
such Ex-  
emptions  
fraudul-  
ently.

*Provided always,* That if any Person shall claim and take the Benefit of any of the Exemptions aforesaid not being intitled to the same, such Person shall forfeit and pay the Sum of Forty Shillings for each Offence.

Penalty on  
Persons  
avoiding  
the Tolls.

*And be it further Enacted,* That if any Person or Persons shall go or pass with any Cattle or Carriage, through or over any Land, Ground, or Place, lying by the Side of or near to the said Roads, the same not being a publick Highway, in order or with Intent to avoid the Payment of the Tolls by this Act granted, or any Part thereof, or shall forge, counterfeit, or alter, or shall deliver to or receive of any other Person or Persons, any Note or Ticket, with Intent to avoid the Payment of any or any Part of the said Tolls, or if any Person or Persons owning or occupying any Lands, Ground, or Place, not being a publick Highway, shall knowingly and wittingly permit or suffer any other Person or Persons to go or pass with any Cattle or Carriage, through or over such Land, Ground, or Place, in order or with Intent that the Payment of any of the said Tolls, or any Part thereof, shall be avoided, or if any Person or Persons shall do any other Act in order or with Intent to avoid the Payment of the said Tolls, or any Part thereof, such Persons and every of them shall for every such Offence forfeit the Sum of Five Pounds, over and besides such Damages and Punishments as they shall be otherwise liable to by Law, to be levied and recovered by such Means, and in such Manner, as are herein after mentioned, and provided for the levying and recovering of Penalties and Forfeitures imposed by this Act; One Moiety whereof, when raised, shall be paid to the Informer, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures are herein after directed to be applied.

Commis-  
sioners may  
reduce or  
lower the  
Tolls.

*And be it further Enacted,* by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Fifteen or more of them, at a Meeting to be called for that Purpose, (whereof Fourteen Days Notice shall be given in some publick Newspaper, and also fixed on the Turnpike Gate or Gates,  
to

to be erected by Authority of this Act,) from Time to Time as they shall see Occasion, to vary, lessen, and reduce the Tolls by this Act granted, and afterwards raise the same again, so as not to exceed the Sums hereby granted; and such Tolls, so varied, lessened, and reduced, shall be collected, recovered, and applied, in such Manner, as the Tolls hereby granted are directed to be collected, recovered, and applied.

*And whereas* it will be most convenient for the Publick, and also for the said University and City, that the Expenditure of all such annual Sums as now remain payable to the Vice-Chancellor and Mayor, (and are not disposed of by any former Turnpike Act,) for or towards the repairing the said Mile-Ways, should be under the Direction and Management of the Commissioners for putting this Act in Execution; *Be it therefore Enacted*, That from and after the Twenty-fourth Day of June, One Thousand Seven Hundred and Seventy-one, the Clerk of the said Commissioners for to be the Time being shall be, during the Continuance of collected this Act, and he is hereby constituted and appointed, by the the Deputy of the said Vice-Chancellor and Mayor for the Clerk of the Com- collecting the said annual Sums; and the said Clerk missioners. for the Time being shall and may demand and receive the said respective Sums of the Surveyor or Surveyors of the Highways for the Time being of each respective Parish and Township; and, in Default of Payment thereof, shall and may levy the same by Distress and Sale of the Goods of such Surveyor or Surveyors, returning the Overplus (if any be) upon Demand, after deducting thereout the Charges of such Distress and Seizure: And it shall and may be lawful to and for the said Surveyor or Surveyors, who shall have paid such Sums, or on whom such Distress shall have been made, to reimburse themselves such Sums so paid or distrained for, by collecting the same of the Persons whose Estates have usually been chargeable therewith, or by any other Means whereby, according to the Laws now in being, Surveyors of Highways are to be reimbursed the Monies by them expended in buying Materials for amending the Highways; and the said Clerk of the said Commissioners shall pay the Sums so received by him

him to the Treasurer of the said Road for the Time being, to be applied to the Repairs of the said Mile-Ways, and to the other Purposes of this Act.

For borrowing Money.

*And be it further Enacted*, That it shall and may be lawful for the said Commissioners, or any Seven or more of them, at their First or any subsequent Meeting, to be held in Pursuance of this Act, to borrow and take up at Interest, upon the Credit of the Tolls arising by Virtue of this Act, such Sum or Sums of Money, as they, or any Seven or more of them, shall think fit; and may and are hereby impowered to demise or mortgage the said Tolls, or any Part or Parts thereof, and the Gates, Turnpikes, and Toll-Houses, for collecting the same, (the Costs and Charges of such Mortgages to be paid out of such Tolls,) as a Security to any Person or Persons, or their Trustees, who shall advance such Sum or Sums of Money, by the following Words, under their Hands, or by any other Words, to the same or the like Effect, viz.

*BY Virtue of an Act made in the Eleventh Year of the Reign of his Majesty King George the Third, for the more effectual amending such of the Roads as belong to and are Part of the Mile-Ways leading to the University and City of Oxford, and other Purposes: We*  
*of the Commissioners, in Consideration of the Sum of*  
*to the Treasurer*  
*of the said Turnpikes, in Hand paid, do grant, bargain, sell, and demise, unto A. B. his Executors, Administrators, and Assigns, such Proportion of the Tolls arising by Virtue of the said Act, and of the Gates, Turnpikes, and Toll-Houses, for collecting the same, as the said Sum of*  
*doth or shall*  
*bear to the whole Sum advanced, or to be advanced, on the Credit thereof; to be had and holden from this*  
*Day of*  
*in the Year of our*  
*Lord*  
*, for and during*  
*the Continuance of the said Act, unless the said Sum of*  
*, with Interest, at the Rate of*  
*per Centum*  
*per Annum, shall be sooner repaid and satisfied.*

And

And Copies of all such Mortgages shall be entered in the Book or Books to be kept for that Purpose by the Clerk or Treasurer to the said Commissioners; but no Money shall be borrowed upon the Credit of the said Tolls after such first Meeting, unless Notice be for that Purpose fixed in Writing upon all the Turnpikes across the said Road, at least Twenty-one Days before the borrowing thereof.

*And be it further Enacted, That all Persons to whom* any such Mortgage shall be made as aforesaid, *or who* shall be intitled to the Money thereby secured, may from Time to Time assign or transfer his, her, or their Right, Title, Interest, or Benefit, to the said Mortgages, and the said Principal and Interest thereby secured, to any Person or Persons whatsoever, indorsing on the Back of such Security, with or without a Witness, the following Words, or Words to the like Effect;

*I Do transfer this Mortgage, with all my Right and Title to the Principal hereby secured, and to all the Interest now due upon the same, unto*  
*his Executors,*  
*Administrators, and Assigns. Dated this*  
*Day of*

G. H.

And such Transfer and Assignment shall entitle such Assignee, his, her, or their Executors, Administrators, and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may in like Manner assign or transfer the same again, and so *toties quoties*; and it shall not be in the Power of such Person or Persons, who shall have made such Assignment respectively, to make void, release, or discharge the original Security, or any Monies thereby due, or any Part thereof; and all Persons, to whom any such Mortgage or Assignment shall be made as aforesaid, shall be, in Proportion to the Sum or Sums therein mentioned, Creditors on such Tolls, on the Credit whereof such Sum or Sums are advanced, in equal Degree one with another,

B

another, and shall have no Preference in respect of the prior Advancement of any such Money, or prior Date of any such Mortgage.

May farm  
out the  
Turnpike  
by the  
Year.  
Altered by  
General  
Turnpike  
Act of 13  
Geo. III.  
c. 84.

The Lease  
or Agree-  
ment to be  
void in  
Case of any  
Default of  
Payment of  
Money,  
and the  
Lessee ac-  
countable.

Appoint-  
ment of  
Officers.

*And be it further Enacted*, by the Authority afore-  
said, That the said Commissioners, or any Fifteen or  
more of them, at any Meeting, may and are hereby  
impowered upon Fourteen Days Notice being given  
in some public Newspaper, usually circulated with-  
in the said City, to lease or farm the Tolls by this Act  
granted, or any Part or Parts thereof, to any Person or  
Persons, at and for the largest yearly Sums that can be  
got for the same; provided that such Lettings and  
Agreements be made in Writing, and signed by the  
Person or Persons taking or farming any such Tolls,  
and by the Commissioners that let the same, and be  
not made for more than Three Years at a Time, and  
that the Money which shall be so agreed to be paid  
for the said Tolls shall be made payable, and shall be  
paid to the Treasurer for the Time being, or to such  
Person or Persons as they or any Fifteen or more of  
them shall appoint, by Quarterly Payments: And if  
any Letting or Agreement for the said Tolls, or any  
Part or Parts thereof, shall be made, and any Default  
shall be made in paying the Money agreed to be paid,  
contrary to the true Meaning of this Act, then every  
such Letting and Agreement shall be void, and the  
Person or Persons to whom the said Tolls shall be so let  
shall be liable to account for the same, and to have the  
same levied and recovered upon and of him, her, or  
them, by such Ways and Means, and in the same  
Manner, as is by this Act directed concerning the ac-  
counting for other Monies by the Collectors or Re-  
ceivers thereof, and the levying and recovering the  
same.

*And be it further Enacted*, by the Authority afore-  
said, That the said Commissioners, or any Seven or  
more of them, shall and may at their first or any subse-  
quent Meeting, appoint one or more Clerk or Clerks,  
and Treasurer or Treasurers, and Collector or Collect-  
ors of the Tolls, Surveyor or Surveyors, and such  
other Officer or Officers for the Execution of this Act,

as

as they the said Commissioners, or any Seven or more of them, shall think proper; and from Time to Time remove him or them, and appoint others in the Room of such of them as shall be so removed, or shall die, or shall otherwise relinquish or discontinue such Office; and out of the Monies to be raised by Virtue of this Act, make such Allowances to the said Officers, and to all other Persons, by them the said Commissioners employed in the Execution of this Act, as they or any Seven or more of them shall think reasonable; and the said Commissioners, or any Seven or more of them, shall and may take such Security from their Treasurer and other Officers, for the due Execution of their respective Offices, as the said Commissioners, or any Seven or more of them, shall think proper: And all such Officers and Persons shall under their Hands (at such Time and Times and in such Manner as the said Commissioners, or any Seven or more of them, shall direct) deliver to such Commissioners, or such Person or Persons as they, or any Seven or more of them, shall appoint, true and perfect Accounts in Writing of all Matters and Things committed to their Charge by Virtue of this Act; and also of all the Monies which shall have been by such Officer or Officers, and Person or Persons, respectively received by Virtue of this Act, and how much thereof hath been paid and disbursed, and for what Purposes, together with the proper Vouchers for such Payments; and shall pay all such Monies as shall remain in their respective Hands to the said Commissioners, or any Seven or more of them, or to such Person or Persons as they shall appoint: And all the said Officers and Persons so accounting as aforesaid, shall upon Oath, if thereunto required by the said Commissioners, or any Seven or more of them, (which Oath the said Commissioners, or any Two or more of them, are hereby impowered and required to administer,) verify their said Accounts; and if any such Officer or Person shall not make and render, or shall refuse to verify upon Oath, any such Account, or to produce or deliver up the Vouchers relating to the same, or to make Payment as aforesaid, then, and in any of the Cases aforesaid, such Commissioners, or any Seven or more of them, may be sued by the said Commissioners, or any Seven or more of them, and swear that they are just:

or brought  
before  
Two or  
more Jus-  
tices.

more of them, may, and are hereby authorized and im-  
powered, to bring or cause to be brought any Action  
or Actions, in the Names of such Commissioners, or  
in the Name or Names of any Two or more of them,  
against the Officer or Officers, Person or Persons, so  
neglecting or refusing as aforesaid, in order for the Re-  
covery of the Monies that shall be in the Hands of  
such Officer or Officers, Person or Persons respective-  
ly : or if Complaint shall be made by the said Commis-  
sioners, or by any Seven or more of them, or by such  
Person or Persons as they shall appoint for that Pur-  
pose, of any such Refusal or Neglect as aforesaid, to  
any Two or more of the Justices of the Peace for the  
said County or City, such Justices may, and are hereby  
authorized and required, by a Warrant or Warrants  
under their Hands and Seals, to cause such Officer or  
Officers, Person or Persons, so refusing and neglecting,  
to be brought before them, and, upon his and their  
appearing, or not being to be found, to hear and de-  
termine the Matter in a summary Way ; and if upon  
the Confession of the Party or Parties, or by the Tes-  
timony of any credible Witness or Witnesses upon  
Oath, it shall appear to such Justices that any of the  
Monies that shall have been collected or raised by Vir-  
tue of this Act, shall be in the Hands of such Officer or  
Officers, Person or Persons, such Justices may, and are  
hereby authorized and required, upon Non-payment  
thereof, by a Warrant or Warrants under their Hands  
and Seals, to cause such Money to be levied by Distress  
and Sale of the Goods and Chattels of such Officer or  
Officers, Person or Persons respectively ; and if no Goods  
or Chattels of such Officer or Officers, Person or Per-  
sons, can be found sufficient to answer and satisfy the  
said Money and the Charges of distraining for the  
same, then, and in any of the Cases aforesaid, such  
Justices shall commit every such Offender to the com-  
mon Gaol or House of Correction for the said County  
or City, there to remain without Bail or Mainprize,  
until he shall give and make a true and perfect Ac-  
count and Payment as aforesaid, or until he shall com-  
pound with the said Commissioners, or any Seven or  
more of them, and shall have paid such Composition,  
in



in such Manner as they shall appoint, which Composition the said Commissioners, or any Seven or more of them, are hereby impowered to make.

*Provided always*, That as often as any Collector of <sup>Collectors</sup> the Tolls shall die, resign his Office, or be incapable of <sup>dying, or</sup> performing his Duty, it shall be lawful for any Seven <sup>incapable.</sup> or more of the said Commissioners, (of whom the Vice-Chancellor and Mayor, or their Deputies, to be always Two) though not assembled at any Meeting pursuant to this Act, by any Writing under their Hands, to appoint another Person to collect such Tolls; and such Person shall continue to collect the same, until the Commissioners shall, at a Meeting to be held in pursuance of this Act, appoint a Collector, any Thing herein contained to the contrary notwithstanding.

*And be it further Enacted*, by the Authority afore- <sup>Officers</sup> said, That if any Person who shall be employed as a <sup>not to</sup> Clerk, Treasurer, Collector, or Surveyor, or any other <sup>take Fee</sup> Officer or Servant who shall be any Ways employed <sup>or Reward,</sup> by the said Commissioners in putting this Act, or any <sup>other</sup> of the Powers thereof, in Execution, shall exact, take, <sup>than their</sup> or accept any Fee or Reward whatsoever, other than <sup>Salaries,</sup> such Salaries, Allowances, and Rewards as shall be appointed, allowed, and approved of by the said Commissioners, or any Seven or more of them, for or on Account of any Thing done or to be done by Virtue of this Act, or on any Account whatsoever relative to the putting this Act in Execution, or shall any Ways be concerned or interested in any Bargain or Contract, <sup>nor to be</sup> made or to be made by the said Commissioners, or any <sup>interested</sup> of them, for the Purposes of putting this Act in Execution; every such Person so offending shall be <sup>in any</sup> incapable of ever serving or being employed under this <sup>Contract,</sup> Act; and shall over and above forfeit the Sum of Fifty <sup>&c.</sup> Pounds to any Person or Persons who shall sue for the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record, within Six Calendar Months after the Offence committed; in which said Suit, no Essoign, Protection, or Wager of Law, or more than one Impar lance, shall be allowed.

Tolls how  
to be ap-  
plied.

Repealed  
by 21 Geo.  
III. p. 87.  
as to paying  
Expences  
of paving  
out of the  
Tolls.

21 Geo. III.  
p. 87.  
Power  
given to  
pave, &c.  
all other  
public  
Streets, &c.

*And be it further Enacted*, That out of the first Money arising by the Tolls or Duties which shall be collected by Virtue of this Act, or out of the Money which shall be borrowed on the Credit thereof, and out of the Rates or Assessments herein after directed to be made, the said Commissioners, or any Five or more of them, shall in the first place pay and discharge all the Expences and Charges of procuring and passing this Act; and shall apply the Remainder of the Money so raised, in erecting a Gate or Gates, Turnpike or Turnpikes, and Toll-House or Toll-Houses, and in repairing, widening, turning, or altering the several Mile-Ways, not included in any Turnpike Act; in rebuilding or repairing and widening the said Bridge; in repairing and paving the Roads and Streets which lead from *Magdalen Bridge* to the two great Roads on the North Side of the City of *Oxford*, leading respectively, the one to *Birmingham* and *Worcester*, the other to *Banbury*; and also to the great Road on the West Side of the said City, leading to *Gloucester* and *Bath*; and also to the great Road on the South Side of the said City, leading to *Abingdon*, *Newbury* and *Southampton*; which said Roads and Streets are particularly enumerated and described in the Schedule hereto annexed, intituled, *The First Schedule*, in purchasing such Ground, Houses, Buildings, and other Erections as shall be found necessary or wanting for the widening, turning, or altering all or any Parts of either of the said Mile-Ways, or the said Roads and Streets so directed to be paved and repaired as aforesaid; and in defraying the necessary Costs, Charges, and Expences attending the Execution of the Powers relating thereto; and to such other Purposes as are herein directed, and to no other Use or Purpose whatsoever.

Commis-  
sioners to  
have Power  
to purchase  
Houses, &c.  
in Second  
Schedule,  
in order to  
widen &c.  
the Roads  
&c.

*And be it further Enacted*, That the said Commis- sioners, or any Fifteen or more of them, shall have full Power and Authority to treat for and purchase the Houses, Gates, Shambles, Buildings, Grounds, and Estates, within or near the said University, City, and Suburbs, and the Parish of *Saint Clement*, mentioned and described in the Schedule to this Act annexed, intituled, *The Second Schedule*, in order to widen, turn,

turn, and alter the said Mile-Ways, Roads, or Streets, hereby directed to be repaired, paved, and amended; and to make such Satisfaction as they shall think reasonable for any the Loss or Damage the Owners, Proprietors, Occupiers, and Persons interested, or any of them, shall sustain by such widening, turning, or altering, any of the said Mile-Ways, Roads, or Streets; and also to order and direct the said Bridge, called *Magdalen Bridge*, to be pulled down, widened, repaired, or rebuilt, and the said Mile-Ways, Roads, or Streets, to be amended, paved, raised, sunk, altered, or repaired, when, and in such Manner as they shall think fit.

*Provided always, and be it further Enacted*, That the said Commissioners shall not have Power to purchase any such Houses, Gates, Shambles, Buildings, Ground, and Estates, within or near the said University, City, or Suburbs, or the said Parish of *Saint Clement*, by Virtue of this Act, unless Eight Days publick Notice be previously given in the *Oxford Journal*, or some other publick Paper, and also at the Schools and Town-Hall, of a Meeting to be held for that Purpose; nor shall any Gates, Houses, Shambles, or other Buildings, be pulled down, or Grounds or Estates be thrown open, in consequence of any Order for that Purpose, unless Three Months Notice at the least shall be given to the Owners and Occupiers of the same respectively, to enable them to provide themselves accordingly.

*And be it further Enacted*, by the Authority aforesaid, That it shall and may be lawful to and for all Persons, whatsoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, who are or shall be seized or intitled in their own Right, Trustees and Feoffees in Trust, Femmes-covert, Guardians, and Committees for Lunaticks and Ideots, Executors and Administrators and Guardians whatsoever, not only in Behalf of themselves, their Heirs and Successors, but also for and in Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femmes-covert, or other Persons whatsoever, who are or shall be seized or possessed of or interested in any such Houses, Gates, Shambles, Stalls, &c. empowered to sell.

Gates, Shambles, Buildings, Grounds, or Estates, to contract for, sell, convey or surrender to the said Commissioners, or any Fifteen or more of them, or to any Person or Persons they shall appoint in Trust for them, all or any such Houses, Gates, Shambles, Buildings, Grounds, or Estates, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunatics, Ideots, Females-covert, or other Persons whatsoever, and all Persons claiming or to claim by, from, or under them; any Law, Statute or Usage to the contrary thereof in any wise notwithstanding.

Proprietors refusing to treat with the Commissioners, a Jury to be summoned.

*And be it further Enacted*, by the Authority aforesaid, That if any such Bodies Corporate or Collegiate, or other Person or Persons as aforesaid, interested in such Houses, Gates, Shambles, Buildings, Grounds, or Estates, upon Notice to them given or left in Writing at the Dwelling-House or Houses, or Place of Abode of such Person or Persons, or of the Head Officer or Officers of such Bodies Politick, Corporate or Collegiate, or at the House of the Tenant or Tenants in Possession of the Houses, Gates, Shambles, Buildings, Grounds, or Estates, so to be taken in, and made into Part of the said Mile-Ways, Roads or Streets, shall by the Space of One Calendar Month next after such Notice given or left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence shall be prevented from treating, then and in every or any such Case, the said Commissioners, or any Fifteen or more of them, shall cause it to be enquired into, and ascertained by and upon the Oaths of a Jury of Twelve indifferent Men of the said County of Oxford, (which Oath any Justice of the Peace for the said County or City of Oxford is hereby empowered to

to administer,) what Recompence and Satisfaction shall be made to such Owner or Owners, Occupier or Occupiers, or Proprietors, or other Persons for or on Account of the said Houses, Gates, Shambles, Buildings, Grounds, or Estates, taken into, or for the widening the said Mile-Ways, Roads, or Streets; and in order thereto, the said Commissioners, or any Fifteen or more of them, are hereby required and impowered, from Time to Time, as often as Occasion shall be, to summon and call before the said Jury, and examine upon Oath, all and every Person or Persons whatsoever, who shall be thought necessary and proper to be examined as a Witness or Witnesses, touching or concerning the Premises, (which Oath any Justice of the Peace for the said County or City of *Oxford* is hereby required to administer;) and they shall also order and cause the said Jury to view the said Premises in Question, if there be Occasion, and use all other lawful Ways and Means, as well for their own, as for the said Jury's better Information in the Premises, as they the said Commissioners, or any Fifteen or more of them, shall think fit; and after the said Jury shall so have enquired of and ascertained and settled the Recompence or Value, they the said Commissioners, or any Fifteen or more of them, shall thereupon order, adjudge, and determine, the Sum or Sums of Money so assessed by the said Jury, to be paid to the Owners or Proprietors of, or Persons interested in the said Houses, Gates, Shambles, Buildings, Grounds, or Estates, according to the Verdict of the said Jury; which said Verdict, Judgment, Order, or Determination he had and made, shall be final and conclusive to all Intents and Purposes, against all Parties and Persons whomsoever, claiming in Possession, Remainder, or Expectancy, or otherwise, their Heirs and Successors, as well absent as present, Infants, Females-covert, Idiots, Lunatics, Cestuique Trusts, and Persons under any Disability whatsoever, Bodies Politick, Corporate or Collegiate, as well as all and every other Person whomsoever; and all and every such Owners, Occupiers, and Proprietors, and all and every Person or Persons any Ways interested in such Houses, Gates, Shambles, Buildings, Grounds, or Estates, shall upon Payment or  
Tender

Tender of the Sum or Sums of Money so assessed as aforesaid, be thereby and from thenceforth to all Intents and Purposes divested of all Right, Title, Claim, Interest, or Property of, in, to, or out of the same.

Commis-  
sioners to  
issue out  
Warrants  
to impane-  
l a Jury.

*And be it further Enacted*, by the Authority aforesaid, That for the summoning and returning such Jury or Juries, the said Commissioners, or any Fifteen or more of them, are hereby empowered to issue out their Warrant or Warrants to the Sheriff of the said County of Oxford, thereby requiring him to impanel, summon, and return an indifferent Jury of Twenty-four Persons, to appear before the said Commissioners, or any Fifteen or more of them, at such Time and Place as in such Warrant shall be appointed; and the said Sheriff, or his Deputy or Deputies, is, and are hereby required to impanel, summon, and return Twenty-four such Persons as aforesaid, and out of the Persons so impanelled and returned, or out of such of them as shall appear according to such Summons, the said Commissioners, or any Fifteen or more of them, shall cause to be sworn before a Justice of the Peace for the County or City of Oxford aforesaid, Twelve who shall be the Jury for the Purposes aforesaid; and for Default of a sufficient Number of Jurymen, the said Sheriff, or his Deputy or Deputies, shall return other honest and indifferent Men of the Standers-by, or that can speedily be procured to attend that Service, to the Number of Twelve.

Persons  
concern-  
ed may  
challenge  
any of the  
Jury.

*Provided always, and be it further Enacted*, That all Persons concerned shall have their lawful Challenges, from Time to Time, against any of the Jurymen when they come to be sworn; and that the said Commissioners, or any Fifteen or more of them, acting in the Premises, shall have Power from Time to Time to impose any reasonable Fine or Fines on such Sheriff or Sheriffs, his Deputy or Deputies, Bailiffs or Agents, making Default in the Premises, and on any of the Persons that shall be summoned and returned on such Jury, not appearing, or refusing to be sworn on the said Jury, or being sworn, refusing to give, or not giving their Verdict, concerning the same, or in any other

other Manner wilfully neglecting their Duty therein, contrary to the true Intent and Meaning of this Act : And if any Person or Persons, who being required to give Evidence before the said Jury, touching the said Premises, shall refuse to be examined, or to give Evidence touching the same, the said Commissioners, or any Fifteen or more of them, shall and may impose such Fine or Fines, Penalty or Penalties, not exceeding the Sum of Five Pounds on each Person, as the said Commissioners, or any Fifteen or more of them, shall think fit, to be levied, recovered, and applied, in Manner herein after mentioned.

*And be it further Enacted,* That all and every such Money Sum and Sums of Money, Consideration, or Satisfaction, to be agreed for as aforesaid, shall be, and is, <sup>agreed for, chargeable upon the</sup> and are hereby charged and chargeable upon the Monies which shall be received, raised, or borrowed by Virtue of or upon the Credit of the said Tolls, and shall be paid thereout accordingly, to the Persons respectively entitled thereto, or to their Agents ; and that upon Payment or Tender thereof to such Persons or their Agents, and Refusal to accept the same, then upon leaving the same in the Hands of the Clerk or Treasurer to the said Commissioners, and after Three Calendar Months Notice thereof, given to such Persons or their Agents, to receive such Monies, Consideration, or Satisfaction, it shall be lawful for the said Commissioners, or any Nine or more of them, their Surveyors, Workmen, or Agents, to take into the said Mile-Ways, Roads, or Streets, the Ground whereon such Houses, Gates, Shambles, or Buildings, are now standing, and also the said Grounds or Estates, so to be purchased, and do every Act with Relation thereto, as they, or any Nine or more of them, shall think fit ; and after the said Purchase of the said Houses, Gates, Shambles, Buildings, Grounds, or Estates, and Tender of Payment as aforesaid, the same shall be laid or made into, and deemed, to be a Part of the said Mile-Ways, Roads, or Streets, for ever after, and shall be repaired and kept in Repair, by such Ways, Means, and Methods, and in all Respects in such Manner as the said Commissioners, or any Nine or more of them, shall think

Old Road  
may be  
fold.

Applica-  
tion of the  
Money  
arising by  
such Sale.

think fit and expedient: And in case any Part of the Land constituting the former Roads comprised within this Act, shall become useless and unnecessary for the Purposes of a common or publick Highway, the same shall be vested in, and shall and may be exchanged or sold by the said Commissioners, or any Nine or more of them, for the best Price that can be gotten for the same; and the Money arising by such Sale shall be applied and disposed of for the repairing of the said Road, and other the Purposes of this Act; and the Conveyance to be made of such Land being executed by the said Commissioners, or any Nine or more of them, and inrolled with the Clerk of the Peace for the said County of *Oxford*, shall be good and effectual in the Law, to all Intents and Purposes whatsoever.

Expences  
of the  
Juries and  
Witnesses  
how to be  
paid.

*And be it further Enacted*, by the Authority aforesaid, That in case any Jury or Juries to be summoned and sworn pursuant to the Authority of this Act, shall give in and deliver a Verdict or Assessment for more Monies, as a Recompence or Satisfaction for the Right, Interest, or Property, of any Person or Persons, in any such Houses, Gates, Shambles, Buildings, Grounds, or Estates, than what shall have been agreed to, and offered by, the said Commissioners, or any Fifteen or more of them, before the summoning and maintaining the Jury and Witnesses concerning the ascertaining and determining the Value of any such Right, Property, or Interest, in any such Premises, all the Expences attending the hearing and determining the same shall be borne and paid by the said Commissioners, or any Fifteen or more of them, out of the Monies to be collected by Virtue of this Act: But if any Jury or Juries, so to be summoned and sworn as aforesaid, shall give in and deliver a Verdict or Assessment for no more, or for less Monies than shall have been agreed to, and offered by the said Commissioners, or any Fifteen or more of them (before the summoning and returning the said Jury or Juries) as a Recompence or Satisfaction for any such Right, Interest, or Property, in any such Premises, that then the full Costs and Expences of summoning and maintaining the said Jury and Witnesses, and all other Expences attending the hearing and determining such



such Difference, shall be borne and paid by the Person or Persons with whom the said Commissioners shall have such Controversy or Dispute; which said Costs and Expences the Justices in their Quarter Sessions, to be held in and for the said County of *Oxford*, shall have power to tax, settle, and ascertain, for the Benefit of either Party, who shall eventually be intitled to the same, and shall be either added to, or deducted out of the Consideration, to be paid for such Purchase.

*And whereas* the Church-yard of the Parish of *Saint Clement* aforesaid is so inconveniently situated, as to render the Road very narrow, incommodious, and dangerous to Travellers, and it may therefore become necessary and expedient, in the Execution of this Act, to take away and lay open Part thereof; *Be it further Enacted*, That it shall and may be lawful, to and for the said Commissioners, or any Fifteen or more of them, according to their Discretion, to take in and lay open such Part of the said Church-yard as shall be thought necessary to be laid open and allotted to the said publick Road, they the said Commissioners, in case they shall take in and lay open any Part of the said Church-yard, purchasing (which they are hereby empowered to do) out of the Monies arising from the said Tolls, and making an Allotment of Ground adjacent to the said present Church-yard, at least One Third more in Quantity than what shall be so taken away; which Ground, so to be purchased by the said Commissioners for the Purposes aforesaid, shall be thereafter used as a Church-yard or Burying-ground for the said Parish of *Saint Clement*, and shall be vested, by Virtue of this Act, in the Rector of the said Parish and his Successors; and he and they shall be seized thereof, as in his and their Demesne, as of Fee, in Right of the Parish-Church of *Saint Clement*, aforesaid; and shall have and be intitled to such Burial or other Fees (if any) in respect thereof, as have been usually and of right accustomedly paid for and in respect of such Part of the said Church-yard as shall be laid open and allotted to the said Road.

*And be it further Enacted*, by the Authority aforesaid,  
That

Power to  
make a  
tempo-  
rary Road  
and  
Bridges.

That the said Commissioners, or any Nine or more of them, shall and may open and make a temporary Road or Way near *Magdalen Bridge* aforesaid, to communicate with the Mile-Way, and may also erect and build a temporary Bridge or Bridges; which said temporary Bridge or Bridges, and Road, are to be made Use of by all Passengers with Carriages and Cattle, as a publick Highway, whilst the said Bridge is building or repairing, and until the same is completed: Provided that such Satisfaction shall be made to the Owners or Occupiers of such Ground respectively, through, over, or along which such Road shall be made, for the Damages which such Owners or Occupiers respectively shall or may thereby sustain, as shall be adjudged reasonable by the said Commissioners, or any Nine or more of them: And in case any Difference shall happen between such Owners or Occupiers and the said Commissioners, touching such Damages, that then it shall and may be lawful to and for the Justices of the Peace, at their next General Quarter Sessions of the Peace, or at their Second General Quarter Sessions at the farthest, to be holden for the said County of *Oxford*, to hear, settle, adjudge, and finally determine the same, and direct the Payment thereof accordingly.

Persons  
wilfully  
and mali-  
ciously  
damaging  
the Bridges  
or Works  
belonging  
to them  
guilty of  
Felony.  
(Sec 21 Geo.  
III. p. 85.)

*And be it further Enacted*, That if any Person or Persons shall wilfully and maliciously burn, blow up, pull down, remove, take away, or otherwise damage or destroy any of the said Bridges, or any Part thereof; or shall wilfully and maliciously remove, take away, damage, or destroy, any Works or Materials to the said Bridges, or any of them belonging, or provided for the building or repairing of the same, and situate, lying, or being, in, near, or upon the said Bridges or River, or any of them; or shall wilfully or maliciously direct or procure the same to be burnt, blown up, pulled down, removed, taken away, or otherwise damaged or destroyed; every such Offender, being lawfully convicted thereof, shall be judged guilty of Felony, and shall be liable to be transported for Seven Years.

Commis-  
sioners  
may sell

*And it is hereby further Enacted*, by the Authority aforesaid, That the said Commissioners, or any Seven or more

more of them, shall have full Power and Authority, <sup>old Pavement and other Materials.</sup> from Time to Time, to sell and dispose of all or any Part of the old Bridge, Pavement, or other Materials, to such Person or Persons as shall be willing to purchase the same, and to apply the Purchase-money to the Purposes of this Act.

*And be it Enacted*, by the Authority aforesaid, That <sup>Office of Surveyors of the Highways to cease.</sup> from and after the said Fourth *Tuesday* after the passing of this Act, the Office of Surveyor of the Highways for any Parish or Parishes within the said University and City, or the Suburbs thereof, having no publick Roads or Highways, but what are hereby directed to be paved and repaired under the Care of the said Commissioners, shall cease and determine.

*And be it further Enacted*, by the Authority aforesaid, That the said Commissioners, or any Seven or more of them, may, and are hereby empowered, from Time to Time, at any of their said Meetings, as Occasion shall require, to contract with any person or persons for rebuilding or repairing the said Bridge, and making or amending any of the said Roads, and for paving and keeping in Repair the said Streets hereby directed to be paved and repaired; which Contract and Contracts shall specify the several Works to be done, and the Prices to be paid for the same, and the Time or Times when the said Works shall be completed, and the Penalties to be suffered in case of Non-performance thereof, and shall be signed by the said Commissioners, or any Seven or more of them, and by the Person or Persons contracting to perform such Works; but previous to the making of any such Contract, Fourteen Days <sup>Extended to contract with Scavengers by 21 Geo. III. p. 101.</sup> Notice shall be given in the *Oxford Journal*, or other publick Newspaper usually circulated in the said City and County of *Oxford*, expressing the Intention of such Contract, in order that any Persons willing to undertake the same may make Proposals for that Purpose, to be offered and presented to the said Commissioners, at a certain Time and Place in such Notice to be mentioned.

*And be it further Enacted*, by the Authority aforesaid, That

Surveyors  
to inspect  
the  
Works.

That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, and they are hereby directed to cause all and every the Works done in pursuance of this Act, to be inspected by their Surveyor or Surveyors, or by such other Person or Persons as they shall from Time to Time appoint; and in case the same shall not be well and sufficiently performed, according to the true Sense and Meaning of such Contract or Contracts, or shall not be finished and completed at or within the Time or Times that the same are agreed to be completed by the said Contract or Contracts, the said Commissioners shall and may, in their own Names, or in the Names of any Two of them, bring an Action, in any of his Majesty's Courts of Law at *Westminster*, against any Person or Persons so contracting and neglecting to perform such Contract or Contracts, and for any Penalty or Penalties, Damage or Damages, which shall be contained in such Contract or Contracts; and upon proving the Signing of the said Contract or Contracts, and Non-performance thereof, at the Time or Times for the Purposes therein mentioned, the said Commissioners shall be intitled to and shall recover such Penalty or Penalties, Damage or Damages, which, when recovered, shall be applied for the Purposes of this Act.

Power to  
dig Gravel  
and get  
Materials.

*And be it further Enacted*, That the said Commissioners or their Surveyor, or such other Person or Persons as they or he shall employ and appoint, having an Order in Writing under the Hands of the said Commissioners, or any Five or more of them, for that Purpose, may, and is, and are hereby impowered to cut, dig, gather, take, and carry away, any Furze, Heath, Stones, Gravel, Sand, or other Materials proper for the raising and repairing the said Streets, and for making and repairing the said Roads, out of and from any Waste-Ground or Common, River or Brook, in any Parish, Town, or Place, in or within Three Miles of which any Part of the said Road or Streets do lie, without paying any thing for the same, such Surveyor or other Persons filling up the Pits or Quarries, leveling the Ground, or sloping down the Banks where such Materials shall be taken, or railing or fencing off  
such

such Pits or Quarries, so that the same may not be dangerous to Passengers of Cattle; and also the said Surveyor, or other Persons as aforesaid, may by Order of the said Commissioners, or any Five or more of them, search for, dig, gather, take, and carry away, any such Materials as aforesaid, in, upon, or out of, from and over the Lands of any Person or Persons, (not being a Yard, Garden, Park, Paddock, planted Walk, or Avenue to any House, or any inclosed Ground planted and set apart as a Nursery for Trees,) paying or tendering to the Owners and Occupiers of such Lands for the same; and for the Damage done to such private Lands over which any Materials gotten in any Waste-Ground, Common, River or Brook, or private Ground, shall be conveyed, such Equivalent in Money as the said Commissioners, or any Five or more of them, shall adjudge reasonable; and in case of any Difference between the said Commissioners, Surveyor or Surveyors, or other Person or Persons appointed and employed as aforesaid, and the said Owners or Occupiers, or any of them, concerning such Payments and Damages as aforesaid, the Justices of the Peace, at their next General Quarter Session, or at the Second General Quarter Session at the farthest, to be holden in and for the County wherein such Difference shall arise, on Six Days Notice thereof being given in Writing by either Party to the other, shall hear, settle, and determine the Matter of such Payments and Damages; and the Judgment or Order of the said Justices therein shall be final and conclusive to all Parties.

*And be it further Enacted*, by the Authority aforesaid, That if any Person or Persons shall at any Time or Times obstruct, hinder, or molest, any Surveyor or Surveyors, or other Officer or Officers, Workmen, Person or Persons whatsoever, who is or shall be employed by Virtue of this Act, (in the Performance or Execution of their Duty,) every such Person so offending shall for the First Offence forfeit the Sum of Twenty Shillings, for the Second Offence the Sum of Forty Shillings, and for every other Offence the Sum of Three Pounds.

c

*And*

Colleges,  
Houses,  
&c. to be  
rated Six-  
pence per  
Yard run-  
ning Mea-  
sure, in  
lieu of  
former Re-  
pairs.  
Repealed  
by 21 Geo.  
III. p. 88.

*And be it further Enacted*, by the Authority afore-  
said, That from and immediately after the passing of  
this Act, the said Commissioners, or any Seven or more  
of them, shall have full Power and Authority, and are  
hereby required, from Time to Time, Yearly and every  
Year, during the Continuance of this Act, to rate and  
assess the Sum of Sixpence (and no more) upon all  
Colleges, Halls, Parish-Churches, Church-Yards, Cha-  
pels, and other publick Buildings whatsoever; as also all  
Meeting Houses, dead Walls, and all void Spaces of  
Ground, and upon the Owners or Proprietors of all  
Houses, Yards, Gardens, Lands, Tenements, or Heredi-  
taments, situated on the Sides of or which form the said  
Streets hereby directed to be paved and repaired, for  
every Yard, running Measure, of the Front or Fronts,  
Length or Lengths, of such Colleges, Halls, Parish-  
Churches, Church-Yards, Chapels, and other publick  
Buildings, Meeting Houses, dead Walls, void Spaces  
of Ground, Houses, Yards, Gardens, Lands, Tene-  
ments, or Hereditaments; which said Rate or Asses-  
ment shall be in lieu of the Repairs heretofore done  
by or chargeable upon such Colleges, Halls, Parish-  
Churches, Church-Yards, Chapels, and other publick  
Buildings, Meeting Houses, dead Walls, void Spaces  
of Ground, Houses, Yards, Gardens, Lands, Tene-  
ments, or Hereditaments, and shall be applied in Aid  
of the Tolls hereby granted, for the several Purposes to  
which such Tolls are hereby directed to be applied, and  
to no other Use or Purpose.

By whom  
the Rates  
on Col-  
leges and  
Publick  
Buildings  
are to be  
paid.  
See 21  
Geo. III.  
p. 90.

*And be it further Enacted*, That the Rates or Asses-  
ments for and in respect of the said Pavement to be  
laid upon any publick or other Building, belonging to  
the said University or City, shall be paid to the Collec-  
tors for the Time being, appointed by the said Commis-  
sioners, or any Seven or more of them, by the Vice-  
Chancellor and Mayor respectively; and the Rates or  
Assessments, so to be laid upon any College or Hall,  
shall be respectively paid, as aforesaid, by their respect-  
ive Bursars, or other Officers employed in or usually re-  
ceiving the Rent of their respective Estates; and the  
Rates or Assessments to be laid upon any Parish-Church,  
Chapel, or Church-Yard, shall be paid, as aforesaid, by  
the

the respective Church or Chapel Wardens ; and the Rates or Assessments to be laid upon any Meeting Houses shall be paid, as aforesaid, by the Minister and Deacons, or other Persons usually officiating therein : And if such Vice-Chancellor, Mayor, Burfar, or other Officer, or such Church or Chapel Warden, Minister, Deacon, or other Person, shall refuse or neglect to pay the same upon Demand, then, and in every such Case, such Rates or Assessments shall and may be recovered of and from the Person or Persons so required to pay the same, by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, to be commenced and prosecuted by and in the Name of the said Commissioners, or any Two or more of them, or in the Name of their Treasurer ; in which Action, or Suit, no Effoign, Protection, or Wager of Law, or more than one Imparllance shall be allowed.

*And be it further Enacted*, by the Authority aforesaid, Rates on That the said Rates or Assessments to be borne and de- Houses to  
frayed by the said Owners and Proprietors of Houses, be paid by  
Yards, Gardens, Lands, Tenements, or Hereditaments, Tenants,  
shall be paid to the Collector for the Time being, ap- and de-  
pointed by the said Commissioners, or any Seven or ducted  
more of them, by the Tenants or Occupiers of the said out of  
Houses, Buildings, Yards, Gardens, Lands, Tenements, their  
and Hereditaments ; and such Tenants and Occupiers Rents.  
shall be at Liberty, and they are hereby impowered, to  
deduct and retain, out of his, her, or their Rent or  
Rents, such Sum or Sums of Money as they shall re-  
spectively pay on Account thereof, for the Owners or  
Proprietors of the said Houses, Buildings, Yards, Gar-  
dens, Lands, Tenements, and Hereditaments, who are  
hereby required to allow such Deductions and Pay-  
ments, upon the Receipt of the Residue of their Rents :  
And if any Tenant or Occupier of any House, Build-  
ing, Yard, Garden, Land, Tenement, or Heredita-  
ment, in the said University and City, or Suburbs, shall  
neglect or refuse to pay such Rates or Assessments  
within Ten Days after Demand thereof, by Notice in  
Writing, under the Hand of the said Collector, to be  
delivered to or left at the Dwelling House or usual  
Place of Abode of such Tenant or Occupier, the same  
shall

Houses  
let to  
more than  
one Ten-  
nant, any  
one deem-  
ed the  
Occupier.

Tenants  
removing  
before  
Charges  
paid:

Premises,  
&c. to be  
a Security  
for the  
same.

shall and may be levied on every such Tenant or Tenants, Occupier or Occupiers, by Distress and Sale of his, her, or their Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals, of any One or more Justice or Justices of the Peace for the said County or City of *Oxford*, returning the Overplus (if any) of the Monies to be raised by such Distress and Sale, after deducting all Costs and Charges attending the same, to the Owner or Owners of such Goods and Chattels so distrained on Demand: And where any House, Building, Yard, Garden, Piece of Land, Tenement, or Hereditament, shall be let or demised to more than one Tenant or Tenants, Occupier or Occupiers, any one or more such Tenant or Tenants, Occupier or Occupiers, shall be deemed the Tenant or Tenants, Occupier or Occupiers, for the Purposes of this Act; and the said Rates or Assessments shall be levied by Distress and Sale of all or any of the Goods or Chattels in such House, Building, Yard, Garden, Piece of Land, Tenement, or Hereditament: And in Case any Tenant or Tenants, Occupier or Occupiers, shall remove out of such House, Building, Yard, Garden, Land, Tenement, or Hereditament, before such Rates or Assessments shall be paid by him, her, or them, or if the Goods and Chattels of such Tenant or Tenants, Occupier or Occupiers, shall be deficient to defray such Rates or Assessments, or if it shall happen any of the said Houses, Buildings, Yards, Gardens, Tenements, and Hereditaments, in the said University and City, and the Suburbs thereof, shall be empty or untenanted, then, and in every such Case, such Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, shall be, and the same are hereby made, a Security for, and chargeable with all such Rates or Assessments; and the same shall and may be levied by Distress and Sale (by Warrant as aforesaid) of any Goods or Chattels which shall hereafter be found in or upon the same Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, or of the Goods and Chattels of the Owner or Owners of such Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, in case such Owner or Owners shall neglect or refuse to pay the same for the space of Twenty Days next after the same



same shall be demanded of him, her, or them, by Notice in Writing, under the Hand of the said Collector, to be delivered to, or left at the Dwelling House or usual Place of Abode of such Owner or Owners, in case such Owner or Owners shall live within the said City or Suburbs; and in case such Owner or Owners shall not live within the said City or Suburbs, then, under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place where such Owner or Owners shall reside: And in case any Tenant or Tenants, Occupier or Occupiers, shall pay to the said Collector any more Money on Account of the said Rates or Assessments than shall be due from him, her, or them, for the Rent of his, her, or their House, Building, Yard, Garden, Land, Tenement, or Hereditament, the Overplus thereof shall and may be levied on the Owner or Owners of such House, Building, Yard, Garden, Land, Tenement, or Hereditament, by Distress and Sale of the Goods and Chattels of such Owner or Owners, by Warrant under the Hand and Seal, or Hands and Seals, of any one or more Justice or Justices of the Peace for the County, City, Borough, Town, Division, or Place where such Goods and Chattels shall be, such Owner or Owners having refused or neglected to pay the same for the Space of Ten Days after Demand made thereof by such Tenant or Tenants, Occupier or Occupiers, his or their Attorney or Agent for that Purpose appointed.

Tenants  
paying  
more for  
Charges  
than shall  
be due for  
Rent, the  
Overplus  
to be made  
good by  
the Land-  
lord.

And whereas some Doubts may hereafter arise, who shall be deemed the Owner or Owners of the several Houses, Buildings, Yards, Lands, Tenements, and Hereditaments in the said University, City, and Suburbs, and the said Parish of *Saint Clement*, for the Purposes, and within the true Intent and Meaning of this Act; For removing whereof, *Be it further Enacted*, That neither the Chancellor, Masters, and Scholars of the University, nor any College or Hall, nor the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, or any other Person or Persons, shall, on Account of any Ground-Rent, or other Acknowledgment, Sum or Sums of Money, in Nature of a Ground-Rent, or

Who shall  
be deemed  
Owners.

Rents certain, issuing out of or payable for any Messuage, Yard, Garden, Land, Tenement, or Hereditament in the said University, City, and Suburbs, and the said Parish of *Saint Clement*, or on Account of their Reversion or Interest of or in the Messuage, Yard, Garden, Land, Tenement, or Hereditament, for which such Ground-Rent, Acknowledgment, Sum or Sums of Money, shall be payable, be considered, deemed, taken, or adjudged to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments; but the Lessee or Lessees of the said Chancellor, Masters, and Scholars of the said University, or of any College or Hall, or of the said Mayor, Bailiffs, and Commonalty, or of such other Person or Persons, or their Assigns, shall, during the Existence of the Term for which such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments shall be demised, be considered, deemed, taken, and adjudged, for all and every the Purposes of this Act, to be the Owner or Owners, Proprietor or Proprietors of such Messuage, Yard, Garden, Lands, Tenements, or Hereditaments, and shall, during such Term, bear and pay all Expences and Impositions whatsoever, by Force or Virtue hereof, to be borne or defrayed by the Owner or Owners, Proprietor or Proprietors of the said Messuage, Yard, Garden, Lands, Tenements, and Hereditaments; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Agreement  
between  
Landlord  
and Tenant  
or others,  
touching  
the Paving,  
not vacated.

*Provided always, and be it further Enacted*, by the Authority aforesaid, That nothing in this Act contained shall be deemed or taken to make void any Contract, Covenant, or Agreement, between any Landlord and Tenant, or between any Bodies Politick or Corporate, and any other Person or Persons, touching or concerning the paving or repairing the said Streets, or any Part of them, or either of them, but that every Person, Body Politick or Corporate, who is or are now, by Virtue of any such Contract or Agreement, obliged to pave, or keep in Repair, any Part of the said Streets, or either of them, shall, in lieu thereof, be obliged to pay, the Sums of Money hereby directed to be paid and levied, or so much thereof as shall by the said Commissioners,

tioners, or any Seven or more of them, be deemed just and reasonable, according to the true Meaning of such Contract, Covenant, or Agreement, for and during such Time as such Contract, Covenant, or Agreement, shall remain in Force; and in case any Dispute shall arise concerning such Covenant, Contract, or Agreement, the said Commissioners, or any Seven or more of them, shall have Power, and they are hereby required to hear, and finally determine the same.

*And be it further Enacted*, by the Authority aforesaid, That from and after the passing this Act, the said Commissioners, or any Seven or more of them, shall have full Power and Authority, from Time to Time, to cause, order, and direct, not only the said Bridge, Roads, or Streets, herein before directed to be paved and repaired, but also all other the publick Streets, Lanes, Ways, Passages, and Places, within the said University, City, or Suburbs, and the said Parish of *Saint Clement*, to be cleansed and lighted in such manner as they shall think necessary; and that for defraying the Charges and Expences attending the cleansing and lighting thereof, it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, in every Year after the passing of this Act, or oftener, if they, or any Seven or more of them, shall think it necessary, (the First Year to be computed from the Feast Day of *Saint John the Baptist* next after the passing of this Act, and every succeeding Year from the said Day in every Year respectively,) to make One or more Rate or Rates, Assessment or Assessments, upon all Colleges, Halls, Parish-Churches, Church-Yards, Chapels, and other publick Buildings whatsoever; as also upon all Meeting Houses, dead Walls, and void Spaces of Ground; and upon the Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said University, City, and Suburbs thereof, and the said Parish of *Saint Clement*, so as such Rate or Rates, Assessment or Assessments, do not exceed in the whole, in any One Year, to be computed as aforesaid, the Sum of Eighteen Pence for every Yard running Measure of the Front or Fronts, Length or Lengths, of such Colleges, Halls,

Charges of  
cleansing  
and light-  
ing Streets,  
&c. to be  
borne by  
Occupiers.

See 21  
Geo. III.  
p. 88.

Parish-Churches, Church-Yards, Chapels, and other publick Buildings, Meeting Houses, dead Walls, and void Spaces of Ground, Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments respectively, as are next to such Streets, Lanes, Ways, Passages, and Places; which Rate or Rates, Assessment or Assessments, laid upon any Colleges, Halls, Parish-Churches, Church-Yards, Chapels, and other publick Buildings and Meeting Houses, shall be paid by the several and respective Persons, in such Manner, and with the like Remedies in case of Non-payment, as are herein before directed, for and in respect of the Pavement chargeable on Colleges, Halls, Parish-Churches, Church-Yards, Chapels, and other publick Buildings, and Meeting Houses respectively; and which Rate or Rates, Assessment or Assessments, hereby directed to be laid or charged upon the Tenants or Occupiers of all Houses, Buildings, Yards, Gardens, Lands, Tenements, or Hereditaments, shall and may, in case of Non-payment, be levied and recovered in such Manner, and with the like Remedies, as are herein before directed, for and in respect of the Pavement chargeable on the Owners or Proprietors of Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, on the Sides of, or which form the Streets hereby directed to be paved and repaired as aforesaid.

Nothing in  
this Act to  
extend to  
any Col-  
lege Courts.

*Provided always, and be it further Enacted*, by the Authority aforesaid, That nothing herein contained shall extend to the Inside of any Court or other Place within any College or Hall in the said University of Oxford, or other publick Building, or to the Parish of Binsley within the Suburbs of the said City.

Allowing  
an Appeal  
against  
the Rates.

*Provided always, and be it Enacted*, by the Authority aforesaid, That if any Person or Persons, Bodies Politick or Corporate, shall think himself, herself, or themselves aggrieved by any Rate or Rates, Assessment or Assessments, made in Pursuance of this Act, such Person or Persons; Bodies Politick or Corporate, shall apply for Relief to the said Commissioners, at any Meeting to be held within Twenty-one Days next after Demand made of such Rate or Rates, Assessment or Assessments;

Assessments; and the said Commissioners, or any Seven or more of them, are hereby authorized and empowered (if they shall think such Person or Persons aggrieved) to give such Relief in the Premises, as to them shall seem necessary: and if such Person or Persons, Bodies Politick or Corporate, shall not be satisfied with the Determination of such Commissioners, he, she, or they shall be obliged to pay such Rate or Rates, Assessment or Assessments, and to comply with such Order of the said Commissioners, and then shall and may appeal to the Quarter Session of the Peace, to be holden for the said County or City of *Oxford*, within Six Months next after such Determination of the said Commissioners, such Appellant first giving, or causing to be given, Eight Days Notice at the least in Writing of his, her, or their Intention to bring such Appeal, and of the Matter thereof, to the Clerk of the said Commissioners, and within Four Days next after such Notice, entering, or causing a Recognizance to be entered into, before some Justice of the Peace for such County or City, by Two sufficient Persons or Sureties conditioned to try such Appeal, and to abide the Order of, and to pay such Costs as shall be awarded by the Justices at such Quarter Session; and the said Justices of such Quarter Session, upon due Proof of such Notice being given as aforesaid, and of the entering into such Recognizance, shall hear and determine the Causes and Matters of such Appeal in a summary Way, and award such Costs to the Parties appealing, or appealed against, as they the said Justices shall think proper, and the Determination of such Justices at their Quarter Sessions shall be final, binding, and conclusive.

*Provided always, and be it further Enacted*, by the Poor how Authority aforesaid, That no Rate or Assessment for favoured. sweeping, cleansing, or lighting, shall be charged upon any Person or Persons, who, by reason of his, her, or their Poverty and Inability only, is, are, or shall be excused and left out of the Rates made for the Relief of the Poor of any Parish in the said City or Suburbs, or Parish of *Saint Clement*, wherein he, she, or they shall reside.

See Exemptions from Rates,  
c<sup>21</sup> Geo. III.  
p. 91.

*And*

**Foot-paths** *And be it further Enacted*, by the Authority aforesaid,  
**swept every** That all and every Person or Persons inhabiting within  
**Day, except** the said University, City, Suburbs, and Parish of *Saint*  
**Sundays.** *Clement*, shall, from and after the Fourth *Tuesday* next  
**Repealed.** after the passing of this Act, sweep and clean, or cause  
**See 21 Geo.** to be swept and cleansed, the Foot-paths, extending at  
**III. p. 102.** least Four Feet before their respective Houses, Build-  
 ings, and Walls, between the Hours of Six and Ten in  
 the Forenoon, (*Sundays* excepted) upon pain of forfeit-  
**Penalty.** ing Five Shillings for every Neglect therein.

**Streets to** *And be it further Enacted*, by the Authority aforesaid,  
**be swept** That the Person or Persons contracted with for clean-  
**twice a** ing the said Streets, Lanes, Passages, and all other pub-  
**Week.** lick Places; shall sweep, clean, and carry away, or cause  
**Repealed** to be swept, cleansed, and carried away, the Dirt and  
**by 21 Geo.** Soil, in and out of all the Streets, Lanes, and Passages,  
**III. p. 101.** and all other publick Places within the said University  
 and City, and Suburbs, and Parish of *Saint Clement*,  
 twice in every Week, on such Days as shall be ap-  
 pointed by the Commissioners, or any Seven or more of  
 them, upon Pain of forfeiting Twenty Shillings for  
 every Neglect therein.

**No Person** *And be it further Enacted*, by the Authority aforesaid,  
**to carry** That no Person or Persons shall take or carry away, or  
**away Soil,** cause to be taken or carried away, any Ashes, Dust,  
**except** Dirt, Muck, Dung, or Manure, which shall be made  
**Contractor.** in any or either of the said Streets, Lanes, Passages, or  
 other publick Places in the said University, City, and  
 Suburbs, and Parish of *Saint Clement*, out of the same,  
 besides the Persons so to be contracted with, or ap-  
 pointed as aforesaid for such Purpose by the said Com-  
 missioners, upon Pain of forfeiting and paying the Sum  
**Penalty.** of Twenty Shillings for every such Offence.

**All Persons** *Provided always, and be it Enacted*, by the Autho-  
**at Liberty** rity aforesaid, That nothing herein contained shall  
**to keep or** extend, or be construed to extend, to any Ashes, Dust,  
**dispose of** Dirt, Filth, Dung, or Rubbish, which any of the Inha-  
**Dung made** bitants of the said University, City, or Suburbs, or  
**or kept** Parish of *Saint Clement*, shall occasion and think fit to  
**within** preserve and keep within their own respective Houses,  
**their** Yards,  
**Houses or**  
**Yards.**

Yards, or Gardens ; but the same shall respectively belong to the Person or Persons so reserving the same, so as such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish be not laid down or placed in any or either of the said Streets, Lanes, or publick Passages, and Places in the said University, City, or Suburbs, or the said Parish of *Saint Clement*, for any longer Time than shall be necessary for the loading and carrying away the same, nor suffered to annoy the Neighbour or Neighbours of such Person or Persons ; but in case the Person or Persons so reserving such Ashes, Dust, Dirt, Filth, Soil, Dung, or Rubbish, shall thereby annoy his or their Neighbour or Neighbours, and shall continue to keep and preserve the same for the Space of Three Days, after Notice in Writing given to him, her, or them, under the Hands of the said Commissioners, or any Five or more of them, or left at such Person's Dwelling House, to remove the same, such Person or Persons shall forfeit and pay the Sum of Ten Shillings a Day, for every Day such Annoyances shall be permitted to remain, next after such Notice given as aforesaid.

*Provided always*, That no Person shall be subject to Penalty the last-mentioned Penalty of Ten Shillings for any not to extend to Rubbish or Dirt, in the said Streets, Lanes, Passages, or publick Places, or any of them, before the House or Rubbish occasioned by Building, Tenement of such Person occasioned by the building, pulling down any Building, rebuilding, or repairing, any such House or Tenement, so as there be convenient Room left in the same Street, Lane, Passage, or Place, where such Rubbish or Dirt shall lie, for Carriages to pass and repass, and a sufficient Way kept clean for Foot-Passengers, by the Person laying or occasioning such Dirt or Rubbish to be laid ; nor for the making up any Lime into Mortar in any of the said Streets, Lanes, Passages, or Places, so as such Room be left for Foot-Passengers and Carriages, and so as such Lime be inclosed before such House or Building, about which the same is to be used, and so as the Owner or Owners of such House or Tenement, before which such Rubbish or Lime shall lie, shall cause the same to be removed out of the said Street, Lane, Passage, or Place, at his, her, or their own Costs and Charges, within a reasonable

reasonable Time, or upon Notice to be given to him, her, or them, or left at his, her, or their said House, where such Rubbish or Limes shall lie, for that Purpose, in Writing, to be signed by the said Commissioners, or any Five or more of them, and so as that whilst the same shall be lying in the said Street, Lane, Passage, or Place, such Owner or Owners shall set up and maintain a sufficient Light upon or against the same, every Night during the whole Night, from the Time it becomes dark, to prevent any Mischief happening to Passengers, which might otherwise be occasioned thereby.

Scavengers  
may lodge  
Dirt in the  
Streets, &c.  
by consent  
of Commis-  
sioners.

*Provided always, and be it further Enacted,* by the Authority aforesaid, That the Person or Persons contracted with for cleansing the said Streets, Lanes, publick Passages, and Places, or any Part or Parts thereof, shall have Liberty, by the Approbation and Order of Five or more of the Commissioners, to lodge their Dirt, Dust, Ashes, or other Filth, in such vacant and publick Places in or near the said Streets, Lanes, Passages, and other Places, as shall not appear to be intended to be built upon, and as shall be thought convenient by the said Commissioners, they the said Persons, so contracted with, giving such Satisfaction to the Owners and Occupiers of such vacant Places as the said Commissioners, or any Five or more of them, shall direct.

Penalty for  
extinguish-  
ing or  
damaging  
Lamps  
by matri-  
culated  
Persons.  
See 21 Geo.  
III. p. 98.

*And be it further Enacted,* by the Authority aforesaid, That if any matriculated Person or Persons, or Member of the said University, shall wilfully break, throw down, or otherwise damage, any of the Lamps which shall be erected by Virtue of this Act, or any of the Posts, Irons, or other Furniture thereof, or extinguish any of the said Lamps, it shall and may be lawful to and for the Vice-Chancellor of the said University, or his Deputy on Account of Absence, commonly called the Pro-Vice-Chancellor, or his Assessor in the University Court, and they are hereby required, upon Oath made of the Commission of any such Offence, (which Oath the said Vice-Chancellor, or his said Deputy, or his said Assessor, or any of them, is and are hereby empowered and required to administer to any Person or Persons



Persons offering to make the same,) to issue a Warrant or Warrants for apprehending the Party or Parties accused; or it shall be lawful for any Person or Persons whatsoever, who shall see such Offence committed, to apprehend, as also for any other Person or Persons to assist in apprehending, the Offender or Offenders, and, by Authority of this Act, to convey him or them before the said Vice-Chancellor, Deputy, or Assessor, to be dealt with as herein after is directed, and the Party or Parties so accused being brought before the said Vice-Chancellor, Deputy, or Assessor, or Oath being made before him, or either of them, that such Party or Parties cannot be found and apprehended, (which Oath the said Vice-Chancellor, Deputy, or Assessor, is and are hereby also required and impowered to administer,) the said Vice-Chancellor, Deputy, or Assessor, shall proceed to examine upon Oath any Witness or Witnesses who shall appear or be produced to give Information touching such Offence; and if the Party or Parties accused shall be convicted of such Offence, either by his or their own Confession, or upon such Information as aforesaid, he or they so convicted shall for the first Offence respectively forfeit and pay (to be applied to the Purposes of this Act) a Sum not exceeding Ten Shillings, nor under Five Shillings, for each Lamp so broken or thrown down, damaged, or extinguished as aforesaid: For the second Offence the Sum of Fifteen Shillings, and for the third and every subsequent Offence the Sum of Twenty Shillings; and full Satisfaction shall also be made to the said Commissioners or their Surveyor, by such Offender or Offenders, for the Damage so by him or them done as aforesaid; and in case the Offender or Offenders shall refuse or neglect to pay the said Penalties, and make such Satisfaction to the said Commissioners as aforesaid, it shall and may be lawful for the said Commissioners, or any Two or more of them, to proceed for and recover the same in the Vice-Chancellor's Court of the said University: And also for the said Vice-Chancellor, Deputy, or Assessor, sitting in Judgment in the said Court, to inflict by Way of further Punishment on the said Offender or Offenders, all or any of the Penalties, whether pecuniary or other, which by the Statutes  
of

Penalty on  
other  
Persons  
breaking  
or damag-  
ing the  
Lamps.

of the said University they are ~~im~~powered to inflict on matriculated Persons convicted of Violation of publick Authority, or other Disturbance of the Peace: And if any Person or Persons (not being matriculated, or a Member of the said University) shall be guilty of any of the said Offences, the same may be inquired into, and the like Penalties inflicted under the Authority of any Justice or Justices of the Peace, acting in and for the said County or City, as is herein before directed to be done with respect to matriculated Persons under the Authority of the said Vice-Chancellor, Deputy, or Assessor: And in case the respective Penalties shall not be forthwith paid, the Justice, before whom such Offender or Offenders shall be convicted, is hereby required to commit him, her, or them, to the House of Correction for the said County or City, there to be kept to hard Labour, for any Time not exceeding Three Calendar Months; and such Offender or Offenders shall not be discharged before the Expiration of the Time, for which he, she, or they shall be committed, unless such Forfeiture and Satisfaction shall be sooner paid and given, and the whole of the said respective Forfeitures, when recovered, shall be applied for the Purposes of this Act: And if any Person shall negligently or accidentally break, throw down, or otherwise damage, any of the said Lamps, or any of the Posts, Irons, or other Furniture thereof, and shall not upon Demand make Satisfaction to the said Commissioners, or any Five or more of them, or to their Surveyor, for the Damages, by such Person done as aforesaid, it shall be lawful for any Justice of the Peace for the said County or City, and he is hereby required, upon complaint to be made by any Two or more of the said Commissioners, or by their Surveyor, to summon the Party complained of, and upon his or her Appearance, or making Default to appear, (Oath being made that the Party complained of was served with such Summons, or that the same was left at his or her Dwelling House or Place of Abode, if known, or that he or she could not be found,) such Justice shall proceed to examine the Matter of the said Complaint, and upon Proof thereof, either by Confession of the Party complained of, or by the Oath of one or more credible  
Witness

Witness or Witnesses, (which Oath the said Justice is hereby impowered and required to administer,) shall award and order such pecuniary Satisfaction to be made by the Party complained of, for the Damage so by him or her done, as to such Justice shall appear just and reasonable, and shall cause the Sum so awarded (in case the same be not paid forthwith upon the making such Award and Order) to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering to him or her the Overplus (if any be) upon Demand, after the Charges of prosecuting such Complaints, and of such Distress and Sale, shall be deducted; and in case sufficient Distress cannot be found, such Justice shall commit the Party complained of to the common Gaol for the said County or City, until he or they shall pay the Sum so awarded, or for any Time not exceeding the Space of One Calendar Month.

*Provided always*, That in case the Party, who shall have done, through Negligence or Accident, such Damage as aforesaid, shall happen to be a matriculated Person, then such Complaint, as is herein last before directed to be made to any Justice of the Peace for the said County or City, shall be made only to the said Vice-Chancellor, or to his Assessor in the University Court, or, in case of the Vice-Chancellor's Absence, to his Pro-Vice-Chancellor or his Deputy, on Account of Absence, each or any of whom shall have full Power to examine the Matter of the Complaint, to administer Oaths, to award pecuniary Satisfaction, to levy the same by Distress and Sale of the Goods of the Party complained of, and to do all the other Things before mentioned, or incident thereto, in like Manner, and in the like Cases, as may be done, when the Party complained of is not a matriculated Person, by any Justice of the Peace for the said City or County.

*And be it further Enacted*, That if any Person or No Cattle  
Persons shall kill, slaughter, finge, scald, dress, or cut to be  
up, any Beast, Swine, Calf, Sheep, or other Cattle, killed in  
or cause the same to be done, in any open or publick the Streets.  
Street, Lane, or Way, within the said University and  
City of Oxford, or the Suburbs thereof, or in the said  
Parish

Parish of *Saint Clement*, or hang up, or cause to be hung up, any Beast, Swine, Calf, Sheep, or other Cattle, or any Part or Parts thereof, in any of the said Streets or publick Passages, (from and after the Market herein after mentioned shall be completed,) every Person or Persons so offending shall, for every such Offence, forfeit and pay the Sum of Ten Shillings; and if any Swine, Beast, or Cattle, shall be found wandering about the said Streets, Lanes, or Ways, or any or either of them, it shall and may be lawful to and for any Officer or Officers of the said Commissioners, or any other Person or Persons whomsoever, to impound such Swine, Beast, or Cattle, in either of the common Pounds in the said City or Suburbs, or *Saint Clement's* aforesaid, or such other Place as shall be appointed for that Purpose by the said Commissioners, or any Five or more of them, and the same to detain in the said Pound or Place, until the Sum of Five Shillings; and the Expence of impounding such Swine, Beast, or Cattle, shall be fully paid and satisfied; and in case such Penalty and Expences shall not be paid within Three Days after such Swine, Beast, or Cattle, shall be impounded, it shall and may be lawful for such Person or Persons as shall be appointed by the said Commissioners, or any Five or more of them, for that Purpose, to sell, or cause such Swine, Beast, or Cattle, to be sold; and the Money arising from the Sale thereof shall be applied to such and the same Purposes, as the Money arising from the Rates or Assessments is hereby directed to be applied.

To prevent  
certain  
Nuisances  
in the  
Streets.  
See 21 Geo.  
III. p. 99.  
to 102.

*And be it further Enacted,* That if any Person or Persons shall hoop, cleanse, wash, or scald, any Cask; or hew or saw, or cause to be hewed or sawed, any Stone, Wood, or Timber; or bind, make, or repair, any Wheel; or shoe, bleed, cleanse, or dress, or turn or drive loose, any Horse; or wet, slack, or mix, any Lime; or wet, mix, or make, any Mortar, except as herein before mentioned; or throw at any Cock or Fowl, in the Manner called Cock-throwing, or set up any Cock or Fowl to be thrown at in such Manner; or shall make, or assist in the making, any Fire or Fires, commonly called Bonfires; or shall set Fire to, or let off,

off, or throw, any Squib, Serpent, Rocket, or Fire-works whatsoever, in any of the Highways, Streets, Lanes, or publick Ways, within the said University, City, or Suburbs, or in the said Parish of *Saint Clement*; or shall fet, place, or expose to Sale, or cause, permit, or suffer to be fet, placed, or exposed to Sale, any Goods, Chattels, Wares, or Merchandizes whatsoever, on the Foot or Carriage Way of any Highway, Street, Lane, or publick Way, in the said University and City, or Suburbs, or in the said Parish of *Saint Clement*, (except the selling of Butter and Corn in the Markets, as usual, on Market-days;) or hang up, or expose, any Goods, Wares, or Merchandizes, or any other Matter or Thing, upon any Flap-window, or otherwise, so as to obstruct or incommode the Passage of the Foot or Carriage Way of any Street, Lane, or publick Way, in the said University, City, or Suburbs, or the said Parish of *Saint Clement*; every Person, so offending in either of the said Cases, shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, over and above such Penalties as are inflicted on any or either of the said Offences, by any Law or Statute now in being.

As to Butter  
and Fruit,  
see 21 Geo.  
III. p. 95.

*And be it further Enacted*, by the Authority aforesaid, That the said Commissioners, or any Nine or more of them, shall and may, at any Time after the passing of this Act, cause Notice to be given to the respective Owners or Occupiers of the several Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, in the said University and City of *Oxford*, and the Suburbs thereof, and in the said Parish of *Saint Clement*, to take down, fill up, remove, alter, or regulate, all Signs, or other Emblems, used to denote the Trade, Occupation, or Calling, of any Person or Persons, Sign-posts, Sign-irons, Penthouses, Shew-boards, Spouts, Gutters, Stalls, Bulks, Bulk or Bow-windows, Window-shutters, Porches, Sheds, Butchers' Gallows, Pumps, Shambles, Blocks, or Pieces of Timber, Chopping-blocks, Cellar-windows, Dwarf-walls, Pits, Saw-pits, Trees, and Posts, projecting into, or standing or being in any of the said Streets, Lanes, or publick Ways, or in or upon the Waste or other Ground, lying between the Houses near or adjoining to such Streets or Highways,

Signs, &c.  
to be taken  
down.

Projecting  
Blinds.  
See 21 Geo.  
III. p. 100.

D

ways, and all other Encroachments, Nuisances, or Annoyances whatsoever, within the said University and City, or the Suburbs thereof, and the said Parish of *Saint Clement*, projecting into, or standing or being in the said Streets, Lanes, or publick Ways, or in or upon the Waste or other Ground between the Houses near or adjoining to such Streets or Highways, in such Manner as they shall think proper; and to cause all Signs, or other Emblems, as aforesaid, Shew-boards, Spouts, and Gutters, or such Parts thereof as they shall think fit, to be carried away, or affixed and placed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, or were before affixed, and not otherwise: And in case the respective Owners or Occupiers shall refuse or neglect so to do, for the Space of Twenty Days next after such Notice shall be given to him or them respectively, (which Notice shall be given in Writing under the Hand of the Clerk to the said Commissioners for the Time being, and delivered or left at the Dwelling House or usual Place of Abode of such Owner or Occupier,) it shall and may be lawful to and for the said Commissioners, or any Nine or more of them, to cause such Signs, Emblems, Sign-posts, Sign-irons, Penthouses, Shew-boards, Spouts, Gutters, Stalls, Bulks, Bulk or Bow-windows, Window-shutters, Porches, Sheds, Butchers' Gallows, Pumps, Shambles, Blocks, or Pieces of Timber, Chopping-blocks, Cellar-windows, Dwarf-walls, Pits, Saw-pits, Trees, and Posts, and all other Encroachments, Nuisances, or Annoyances whatsoever, to be taken down, carried away, filled, removed, altered, and regulated, in such manner as they shall think proper; and shall cause all such Signs, or other Emblems, as aforesaid, Shew-boards, Spouts, and Gutters, or such Parts thereof as they shall think fit, to be removed and carried away, or affixed and placed on the Fronts of the Houses, Shops, Warehouses, or Buildings, whereunto they respectively belong, or were before affixed, and not otherwise; and shall return, or cause to be returned, to their respective Owners, or to be left on the Spot, or as near as conveniently may be for such Owner or Owners, so much of such Signs, or other Emblems, Sign-posts or other Posts,

Posts, Sign-irons, Penthouses, Shew-boards, Spouts, Gutters, Stalls, Bulks, Bulk or Bow-windows, Window-shutters, Porches, Sheds, Butchers' Gallows, Pumps, Shambles, Blocks, Chopping-blocks, Cellar-windows, Dwarf-walls, Trees, and Posts, or other Encroachments, Nuisances, or Annoyances whatsoever, as shall not be affixed or put up, or otherwise made use of in the Alterations directed by this Act, and the Charges and Expences attending the same shall and may be recovered of the Owners or Occupiers thereof respectively, in the same Manner as the Charges and Expences of cleansing and lighting the said Streets are directed to be recovered under this Act: And if any Person or Persons shall, at any Time or Times thereafter, hang, place, erect, build, or make, any Sign, Sign-post or other Post, Sign-iron, Penthouse, Shew-board, Spout, Gutter, Stall, Bulk, Bulk or Bow-window, Window-shutter, Porch, Shed, Butchers' Gallows, Pound for Cattle, Pump, Cellar-window, or Dwarf-wall, Shamble, Block, or Pieces of Timber, Chopping-block, Pit, Saw-pit, Post, or other Encroachment, Nuisance, or Annoyance whatsoever, or cause the same to be done contrary to the Directions aforesaid; every Person so offending shall, for every such Offence, forfeit and pay the Sum of Forty Shillings, and the further Sum of Ten Shillings for every Day such Offence shall continue; and the Master Workmen employed to erect, build, do, or perform the same, shall forfeit and pay the Sum of Forty Shillings: And it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the same to be taken down, removed, carried away, altered, or regulated, in such manner as they, or any Five or more of them, shall think proper; and the Person or Persons so ordered shall and may take down, remove, carry away, alter, or regulate the same accordingly, without any Notice or Warning to be given to the Owner or Owners, Tenant or Occupier, to take down, remove, carry away, alter, or regulate the same.

*And be it further Enacted,* That no Head Builder, No Builder, Master Carpenter, Mason, or Workman, shall, in re-  
building or new fronting any old Building situate in or  
near of any  
foundation  
&c. to  
bring the

Building  
forward,  
under Pe-  
nalty of  
10l.

Owner to  
pay 40s.  
every  
Month it  
remains.  
May be  
ordered  
to be taken  
down, &c.

near any Street, Lane, or publick Way, bring the Foundation thereof forward beyond the old Foundations, or the ancient Story-posts supporting the Fronts thereof, so as to obstruct or narrow the Passage through the same, upon Pain of forfeiting, for every such Offence, the Sum of Ten Pounds, and the Owner of such Building shall forfeit and pay the Sum of Forty Shillings for every Month such Obstruction or Incroachment shall remain, by the Foundation of such Building being brought forwards as aforesaid; and it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to order the same to be taken down, altered, or regulated, in such manner as they, or any Five or more of them, shall think proper.

No Cart,  
&c. to be  
left in any  
Street, &c.  
Sec 21  
Geo. III.  
P. 99.

*And it is hereby further Enacted*, That if, after the passing of this Act, any Cart, Waggon, Dray, or other Carriage, shall be left to stand or continue in any Street, Lane, or publick Way, in the said City or Suburbs, or the said Parish of *Saint Clement*, or in any Part or Parts thereof, with or without Horses, or other Cattle, other than for the necessary loading or unloading thereof, or if any common Stage-Waggon or Cart shall be left to stand or continue in either or any of the principal Streets mentioned in the said Schedule hereto annexed, for the Purpose of loading or unloading, more than the Space of One Hour at any one Time: Or if any Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, Merchandizes, Materials, or Things whatsoever, shall be laid or placed, and left in any such Street, or publick Way, longer than shall be necessary for the housing or removing the same, (except in such Cases as are herein before provided for,) then, and in every such case, the Owner or Owners of every such Cart, Waggon, Dray, or other Carriage, or of any such Timber, Bricks, Goods, Wares, Merchandizes, Materials, or Things, shall for every such Offence forfeit and pay the Sum of Ten Shillings, and the same shall moreover be deemed Nuisances; and any One of the said Commissioners, or any one of their Officers, or any other Person, without any Peace-Officer or other Person present, shall and may,



may, either in the Day or by Night, seize or cause to be seized the Cart, Waggon, Dray, or other Carriage, so placed, or suffered to stand or continue, contrary to the true Meaning of this Act, together with the Horse or Horses thereunto belonging or affixed, (if any) or the Timber, Bricks, Stones, Slates, Hay, Straw, Wood, Faggots, Coals, Boards, Tubs, Goods, Wares, Merchandizes, Materials, or Things, so laid or placed as aforesaid, and remove the same, or cause the same to be removed, to any Pound within the said City or Suburbs, or to such other Place as shall be appointed for that Purpose by the said Commissioners, or any Five or more of them, there to be kept and detained until the Owner or Owners thereof, or his, her, or their known Servant or Servants, shall claim the same, and pay to the Person or Persons, in whose Custody the same shall then be, the Sum of Ten Shillings, together with the Charges of removing and keeping the same; and in Case the same shall not be claimed, and the said Sum of Ten Shillings and Charges paid, within the Space of Six Days next after such Seizure, it shall and may be lawful to and for the said Commissioners, or any Five or more of them, to cause the same to be appraised and sold, and the Money arising therefrom shall be applied to the same Uses and Purposes as the Monies arising from the Rates or Assessments are hereby directed to be applied.

Any Person may remove such Cart, &c. to any Pound, and retain the same till the Owner pay 10. and Charges of removing, &c.

In Case the 10s. and Charges, are not paid within Six Days, the Cart, &c. may be appraised and sold.

*Provided*, That if any Cart, Waggon, Dray, or other Carriage, shall be so placed, or suffered to stand or continue, as aforesaid, or any Timber, Bricks, Goods, Wares, Merchandizes, Materials, or Things, shall be so laid and placed as aforesaid, and the same shall not be seized and impounded as aforesaid, the Owner or Owners of such Cart, Waggon, Dray, or other Carriage, or of such Timber, Bricks, Goods, Wares, Merchandizes, Materials, or Things, shall nevertheless forfeit and pay the Sum of Ten Shillings for every Offence by such Cart, Waggon, Dray, or other Carriage, being so placed, or suffered to stand or continue, or such Timber, Bricks, Goods, Wares, Merchandizes, Materials, or Things, being so laid or placed, or left as aforesaid.

Though such Cart, &c. be not impounded, the Owner shall forfeit 10s.

Annoy-  
ances by  
Hog-sties,  
&c. to be  
removed.

By 21  
Geo. III.  
p. 100.  
extended  
to all  
Streets,  
Lanes, &c.

*And be it further Enacted,* That in case any Hog-stye, Necessary-house, Fleth, Dung, Carrion, Blood, Offal, Soil, or Filth, Ashes, Cinders, or Rubbish, or any other noisome Matter whatsoever, in or near any of the said principal Streets within the said City or Suburbs, mentioned in the Schedule hereto annexed, shall be offensive to any of the Inhabitants, or other Person or Persons, the same shall be deemed a Nuisance, and an Offence against this Act; and it shall and may be lawful for the said Commissioners, or any Five or more of them, upon Complaint thereof made to them by any such Inhabitant, or other Person or Persons, by Notice in Writing under the Hands of the said Commissioners, or any Five or more of them, or under the Hand of the Clerk to the said Commissioners for the Time being, to order any such Nuisance or Offence to be removed; and in case the same shall not be removed within Three Days after such Notice given to the Person or Persons who ought to remove the same, such Person or Persons shall forfeit and pay the Sum of Five Shillings daily for every Day that the same shall continue unremoved, after the Expiration of the said Three Days.

No Wheel-  
barrow,  
&c. to be  
driven on  
Foot  
Pave-  
ments,

*And be it further Enacted,* That if any Person or Persons shall, at any Time after the passing of this Act, run, drive, or cause to be run, driven, or drawn on any Foot Pavements within the said City or Suburbs, any Wheel or Wheels, Sledge, Wheel-barrow, or Carriage whatsoever, or shall roll any Cask, or wilfully ride, drive, or lead, or cause to be rode, driven, or led, any Horse or other Cattle, on any of the said Foot Pavements, other than in Cases of absolute Necessity; such Person or Persons shall forfeit and pay for the first Offence the Sum of Five Shillings, for the second Offence the Sum of Ten Shillings, and for the third and every other Offence the Sum of Twenty Shillings.

Provido.

*Provided,* That no Person or Persons shall be liable to such Penalties for rolling any Cask on the said Foot Pavements, unless the same shall have been rolled thereon for the Space of Twenty Yards, or upwards.

*And be it further Enacted,* That if any Cellar-window  
or

or Windows shall be left open in the Evening, or in Cellar the Night, without the same being sufficiently lighted, <sup>Windows at Night to be sufficiently lighted.</sup> to prevent Accidents happening therefrom, the Occupier or Occupiers of such House or Cellar shall, for every such Offence, forfeit and pay the Sum of Ten Shillings.

*And whereas* there are Pipes placed under the Pavements in several of the said Streets, Lanes, and publick Ways, for the Purpose of conveying Water for the Use of the Inhabitants, and great Inconveniencies may arise from the breaking up the Pavement in order to repair the same, and from the Bursting or Breaking of the said Pipes, if such Pavement be not properly relaid : For Remedy whereof, *Be it further Enacted*, by the Authority aforesaid, That when and so often as any Part of the Pavements of any of the Streets or Places, which shall be begun to be paved by Virtue of this Act, shall be damaged by the Bursting or Breaking of the said Pipes, or taken up by any Person or Persons for the Purposes of making, repairing, or altering any of the said Pipes, or any Vault or Drain, or for any other Purpose whatsoever ; the Person or Persons to whom the same belong, or so taking up such Pavement or Pavements, shall immediately give Notice thereof to the Surveyor or Surveyors employed by the said Commissioners for putting this Act in Execution, in order that the same may, with all convenient Speed, be laid down and repaired, under the Inspection of the said Surveyor or Surveyors, and the Charges and Expences thereof shall be paid by the said Commissioners, and they shall be reimbursed the same by the Owner or Owners, Proprietor or Proprietors of the Water-Works, or other Person or Persons who shall take up, or cause or procure to be taken up, the said Pavement or Pavements, or any Part or Parts thereof ; and in case any such Owner or Owners, Proprietor or Proprietors of Water-Works, or other Person or Persons, shall neglect or refuse to pay what the said Commissioners shall have so paid and disbursed, within Ten Days next after Notice thereof, to be left by the Receiver or Receivers appointed, or to be appointed, by the said Commissioners, at the Dwelling House or usual Place of Abode of such Owner or Owners,

ers, Proprietor or Proprietors of such Water-Works, or other Person or Persons, which Notice shall be in Writing, and signed by the Clerk to the Commissioners for putting this Act into Execution, by order of the said Commissioners, or any Two or more of them, and annexed to the Bill, containing an Account of the Expences of such Repair; it shall and may be lawful to and for the said Commissioners, or any Five or more of them, and they are hereby authorized and impowered, to bring, or cause to be brought, any Action or Actions, in the Name or Names of their Treasurer or Treasurers for the Time being, for the Recovery of such Sum or Sums of Money as they shall have so expended for the relaying and repairing such Pavement or Pavements, taken up in Manner as aforesaid; and in case such Person or Persons, hereby directed to give such Notice to the Surveyor or Surveyors as before directed, shall neglect so to do, for the Space of Twenty-four Hours after such Pavement or Pavements be so taken up, such Person or Persons shall, for every such Offence, forfeit and pay the Sum of Twenty Shillings.

Proceedings to be entered in a Book.

*And be it further Enacted*, by the Authority aforesaid, That all the Acts, Orders, and Proceedings of the said Commissioners, from Time to Time, shall be entered in a Book or Books to be kept for that Purpose, and signed by the Clerk of such Commissioners for the Time being, and shall be deemed and taken to be original Acts, Orders, and Proceedings; and such Book or Books shall and may be produced and read in Evidence in all Courts whatsoever; and shall also be open at all reasonable Times for the Reading or Inspection of all and every the said Commissioners, without Fee or Reward.

Treasurers to pay all Sums of Money by order of the Commissioners, and make Entries.

*And it is hereby further Enacted*, by the Authority aforesaid, That the Treasurer of the said Commissioners for the Time being shall and may, and he is hereby authorized and required, out of the Monies collected and paid into his Hands, to pay all Sums of Money which the said Commissioners shall, from Time to Time, draw upon him for, or order him to pay; and the said Treasurer for the Time being shall, and he is hereby required to keep regular and clear Entries in a

Book

Book or Books, to be for that Purpose by him provided and kept, of all and singular his Receipts and Payments, on Account or in Pursuance of this Act, to which Book or Books, and all others kept for the Purposes of this Act, every Person liable to the Payment of the said Rates shall and may have free Access at all convenient Times, with full Liberty to inspect the same, without Fee or Reward; and also, that the said Treasurer for the Time being shall twice in every Year have the said Accounts audited and passed, and allowed by the said Commissioners, or any Seven or more of them.

*And it is hereby further Enacted*, by the Authority of the Authority aforesaid, That if any Collector or Collectors shall happen to die, or to become Bankrupt, before he or they shall have fully paid and satisfied all the Monies by him or them received by Virtue of this Act, or made such Composition for the same as the said Commissioners shall agree to accept, then, and in every such case, the Executors or Administrators, Executrix or Administratrix, or other legal Representative or Representatives of such Collector or Collectors, or the Assignee or Assignees of his or their Estate and Effects, or other Person or Persons possessing the same, shall in the first Place out of such Estate and Effects pay unto the Treasurer of the said Commissioners for the Time being all such Sums of Money as were in the Hands of such Collector or Collectors at the Time of his or their Death, or at the Time of suing out any Commission of Bankruptcy against him or them, or so much thereof as the said Estate or Effects will extend to pay, and the Receipt of the said Treasurer shall be a good Discharge for the said Money; and every Executor and Administrator, Assignee or Assignees, or other Person as aforesaid, may, to any Action or Suit commenced or brought against him or them, plead or give in Evidence the Payment of the same, and shall be allowed such Payment out of the Estate or Effects of such Collector or Collectors, prior to any other Debt or Demand whatsoever; and in case of Non-payment of the same by the Space of One Calendar Month after the same shall be demanded, it shall and may be lawful to and for

Collector dying, or becoming Bankrupt, his Estate liable to Payment.

for the said Commissioners, or any Two or more of them, to commence and prosecute one or more Action or Actions for the same, in any of his Majesty's Courts of Record, against such Executors or Administrators, Assignee or Assignees, or other Person as aforesaid.

No Act  
valid unless  
at a pub-  
lick Meet-  
ing.

*Provided always, and be it Enacted*, by the Authority aforesaid, That no Act of the Commissioners shall be valid, unless made or done at some publick Meeting, held by Virtue of this Act.

All Powers  
vested in  
Commis-  
sioners  
to be exe-  
cuted by  
the major  
Part of  
those who  
are present.

*Provided also, and it is hereby Enacted and Declared*, by the Authority aforesaid, That all the Powers and Authorities by this Act granted to or vested in such Commissioners shall and may, from Time to Time, be exercised by the major Part of those who shall attend at any publick Meetings, to be holden as herein before mentioned; such major Part not being less than the Number by this Act authorized to do such Business; and that in all Cases the said Commissioners do vote by Ballot, in case the same is desired by any Two or more of the said Commissioners; and that the Chairman shall have a casting Voice in all Cases of Equality.

Commis-  
sioners may  
compound  
for Penal-  
ties, &c.

*And be it further Enacted*, by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any Seven or more of them, from Time to Time, to compound and agree with any Person or Persons, against whom any Action or Actions, Suit or Suits, shall be brought or prosecuted, for any Penalty or Penalties, in any Contract or Contracts hereafter to be entered into, on account of any Breach or Non-performance of any such Contract or Contracts, for such Sum or Sums of Money, as they, or any Seven or more of them, shall think proper; and also to mitigate, compound, or lessen, any other the Forfeitures incurred under this Act, so as the Sum so compounded or agreed for be not less than the Injury or Damage sustained by the Breach or Non-performance of such Contract or Contracts, and all the Costs, Charges, and Expences, which shall be occasioned thereby, and so as the Mitigation of the other Forfeitures, as aforesaid, do not

Not to re-  
mit above  
a Moiety  
of For-  
feitures.

not extend to remit above One Moiety of the said Forfeitures respectively.

*And whereas* many Houses, Edifices, Shops, and Colleges Warehouses, within the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*, belong to Bodies Corporate, and are irregularly built, and, by Reason of their contingent Tenure, are frequently suffered to fall into a ruinous State; *Be it therefore Enacted*, That it shall and may be lawful for any Body Corporate or Collegiate, whether of University or City, Aggregate or Sole, to alienate and sell for ever any Tenements or Hereditaments, and the Scite thereof, with their Appurtenances, standing or being within the University and City of *Oxford*, or the Suburbs thereof, or the said Parish of *Saint Clement*, provided that all and every Sum and Sums of Money, to be paid to such College or Corporation for the Purchase of such Tenement or Hereditament, be lodged in any of the publick Funds, in the Name and Names of the three Regius Professors of Divinity, Law, and Physick, (in Trust) for the Use of the said College or Corporation, for Houses belonging to the Colleges or the University; and for Houses belonging to the City, in the Names of the Mayor, Recorder, and Town-Clerk, to be by them laid out in the Purchase of Lands and Hereditaments without the University, City, and Suburbs of *Oxford*, or otherwise settled and appropriated for such Uses and Trusts, as the Houses and Tenements so sold by such Corporation or College were settled and limited at the Time of such Sale so made. Colleges and Corporations empowered to sell Houses, &c. Money to be laid out.

*And be it further Enacted*, by the Authority aforesaid, That all and every Sum and Sums of Money to be paid to any Person, Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Tail, Guardian, Committee, or other Trustee or Trustees, in Pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to, upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premises, so to be purchased by the said Commissioners as aforesaid, were

were settled, limited, and assured, at the Time of such Sale so made respectively, or as near as the same can be settled, limited, and assured, and shall and may be held and enjoyed accordingly.

Continu-  
ance of  
the Tolls.

By 21  
Geo. III.  
p. 84.  
continued  
for a further  
Term of  
21 Years.

*And be it further Enacted*, by the Authority aforesaid, That so much of this Act as relates to the Tolls hereby granted, and to widening, altering, and repairing the Roads and Bridge herein mentioned, shall take Place from and after the said Fourth *Tuesday* after passing this Act, and shall continue in force for the Term of Twenty-one Years, and to the End of the then next Session of Parliament, and no longer; and that from the Expiration, or sooner Determination thereof, the said Mile-ways and Bridge shall be repaired, from Time to Time, in such and the same Manner, as the same were or ought to have been repaired before the passing of this Act, or as they would or could have been, in case the same had not been made.

Proviso  
for deter-  
mining  
the Tolls  
sooner.

*Provided always*, That if the several Purposes, to which the said Tolls are hereby directed to be applied, shall be effected and completed before the Expiration of the said Term hereby granted, and the Principal Money, borrowed and secured upon the Credit thereof, be repaid and satisfied, then, and from thenceforth, all the Tolls hereby imposed shall absolutely cease and determine.

*And whereas* the holding of a Market, as heretofore accustomed, for selling of Meat, Fish, and Garden-stuff, in the *Higb-Street* and *Butcher-Row* in the said City, hath been found very inconvenient, by reason of the great Number of Coaches, Carts, and other Carriages, and Travellers passing and repassing through the same, to and from the Roads above mentioned :

*And whereas* it is necessary for the Benefit and Accommodation of the Inhabitants of the said University, City, and Suburbs, and of all Persons resorting thereto, that a Market should be still continued for the Sale of all Kinds of Meat, Fish, Poultry, and Garden-stuff, and the Chancellor, Masters, and Scholars of the said University,



verfity, and Mayor, Bailiffs, and Commonalty of the faid City, are defirous to erect, hold, and maintain fuch Market; *It is bereby further Enacted*, That the faid Commiffioners, or any Fifteen or more of them, fhall have full Power and Authority to view, fet out, and describe fuch Plot or Piece of Ground, between the *Highb-Street*, and the Lane called *Jefus College Lane*, within the faid City, as they fhall adjudge moft convenient and proper for holding the faid Market, and to and for making proper Avenues thereto.

*And it is bereby further Enacted*, by the Authority aforefaid, That the faid Chancellor, Masters, and Scholars of the faid Univerfity, and their Succeffors, by and with the Consent and Approbation of the faid Mayor, Bailiffs, and Commonalty of the faid City, and their Succeffors, fhall have Power and Authority, and they are hereby authorized and empowered to remove, or caufe to be removed, the Markets for all Kinds of Meat, Fifh, Poultry, and Garden-ftuff, and to eftablifh and hold, or caufe to be eftablifhed and held, within the Limits of the faid Plot or Piece of Ground, fo to be fet out and described by the faid Commiffioners as aforefaid, for the Scite of the faid Market; and that it fhall and may be lawful to and for the faid Chancellor, Masters, and Scholars, by and with the Consent and Approbation of the faid Mayor, Bailiffs, and Commonalty, to caufe fuch Market to be held within the Limits aforefaid, daily and every Day, or lefs frequently, according as the fame fhall to them appear neceffary for the Convenience and Accommodation of the Inhabitants of the faid Univerfity, City, and Suburbs, and of Perfons reforting thereto.

Power to  
remove  
the Mar-  
ket, and  
erect ano-  
ther.

And by 21  
Geo. III.  
p. 95. for  
Butter,  
Eggs, and  
Fruit.

*Provided*, That nothing herein contained fhall extend, or be conftrued to extend, to take away the Right of the faid Chancellor, Masters, and Scholars, to appoint or nominate One or more Clerk or Clerks of the faid Market, and otherwife to govern, regulate, and fuperintend the fame, as heretofore accuftomed, with refpect to the ancient Market-Place or Places, or to take away the Right of the faid Mayor, Bailiffs, and Commonalty, to fuch Pitching-pence or Tolls as have been heretofore paid

The Right  
of the Uni-  
verfity to  
fuperin-  
tend  
the Mar-  
kets, and  
the City  
Right to  
Pitching-  
pence,  
or Tolls,  
paid  
referved.

paid to them, or their Toll-gatherer, by Butchers, Gardeners, and Others; but the same respectively shall remain and belong to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, severally, as before the passing this Act; and the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commonalty, respectively, shall and may prescribe and have such Remedies for the same in such new Market, as they could have and were intitled to in the Places where the ancient Markets were usually or commonly held.

No Meat,  
Fish, Poul-  
try, or  
Garden-  
stuff, to  
be sold  
elsewhere.

Sec 21  
Geo. III.  
P. 95.

*And*, for preventing any Encroachments which might hereafter be made on the said Market, *Be it further Enacted*, by the Authority aforesaid, That from and after the same shall be completed and used as a Market, it shall not be lawful for any Person or Persons to erect or hold any other Market within the said University, City, or Suburbs, except the present Markets for Corn, Pigs, and Butter, or to vend or expose to Sale any manner of Flesh, or other raw Victuals, Fish, Poultry, Herbs, Roots, or Garden-stuff, which are usually sold in publick Markets, in any other Place whatsoever, within the said University, City, or Suburbs; and every Person, who shall so vend or expose to Sale any manner of Flesh, or other raw Victuals, Fish, Poultry, Herbs, Roots, or Garden-stuff, out of the said Market, within the said University, City, or Suburbs, and shall be convicted thereof before any One or more of his Majesty's Justices of the Peace for the County or City of *Oxford* aforesaid, shall, for every such Offence, forfeit and pay the Sum of Five Pounds; to be recovered by Distress and Sale of the Goods and Chattels of the Offender, rendering the Overplus, if any there be, (after deducting the Expence of such Distress and Sale,) to the Owners thereof; one Moiety whereof shall go to the Informer, and the other Moiety to the Poor of the Parish where the Offence or Offences shall be committed.

Provido,  
that Fish-  
mongers  
and Poul-  
terers  
may sell Fish and Poultry in their own Houses.

*Provided always*, That nothing herein contained shall be construed to extend to prevent Fishmongers or Poulterers

Poulterers from selling Fish or Poultry in their own Shops or Houses, as heretofore accustomed, in the said University, City, and Suburbs.

*Provided also nevertheless,* That it shall and may be lawful to and for the said Justices, where they shall see Cause, to mitigate or lessen any such Penalties or Forfeitures, according to their Discretion. The Justices may mitigate such Penalties.

*And,* for enabling the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, to effect the several Purposes of this Act, *Be it further Enacted,* That it shall and may be lawful to and for the said Chancellor, Masters, and Scholars, in Convocation assembled, from Time to Time, to nominate, depute, and appoint Six of the Members of Convocation, resident within the said University, and for the said Mayor, Bailiffs, and Commonalty, in Council assembled, from Time to Time, to nominate, depute, and appoint Six of the Members of the Council of the said City, residing within the said City or Suburbs, to be a Committee to treat and agree with the Owners and Occupiers, and all other Persons interested in the Houses and Buildings, standing on the said Plot or Piece of Ground, so to be set out as aforesaid for the said Market, and to do all Matters and Things for and in the Names of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, necessary for carrying this Act into Execution, so far as the same relates to the said Market; and such Committee, from Time to Time, so to be nominated, deputed, and appointed by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, respectively, shall continue to act until others shall be by them severally nominated, deputed, and appointed in their stead. Power to appoint a Committee of Members of each Body.

*And be it further Enacted,* by the Authority aforesaid, That it shall and may be lawful to and for all Persons whatsoever, Bodies Politick, Corporate, or Collegiate, Corporations Aggregate or Sole, who are or shall be seized or intitled in their own Right, Trustees and Feoffees in Trust, Guardians and Committees for Lunatics Persons interested impowered to sell Houses, &c. for the Market.

Power of  
settling  
by Jury  
where  
Persons  
refuse to  
treat.

ticks and Ideots, Executors, Administrators, and Guardians whatsoever, not only in Behalf of themselves, their Heirs and Successors, but also for and in Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femmes-covert, or other Persons whatsoever, who are or shall be seized or possessed of or interested in any Messuages, Lands, Tenements, or Hereditaments, which shall be necessary to be purchased for the holding the said Market, and to and for making proper Avenues thereto, to contract for, sell, convey, or surrender, to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, all or any such Messuages, Lands, Tenements, or Hereditaments, or any Part thereof, or any Term for Years, or any Estate or Interest therein; and that all such Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, which shall be so made as aforesaid, shall be good and valid in Law, to all Intents and Purposes whatsoever, not only to convey the Estate of the Person or Persons conveying, but also all Right, Estate, Interest, Use, Property, Claim, and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femmes-covert, or other Persons whatsoever, and all Persons claiming or to Claim by, from, or under them, any Law, Statute, or Usage, to the contrary thereof in any wise notwithstanding: And if it shall happen that any Person or Persons, Bodies Politick, Corporate, or Collegiate, or other Person or Persons whatsoever, who are hereby enabled to convey as aforesaid, shall refuse to treat and agree with the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, then and in such Case it shall and may be lawful to and for the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, before any General Quarter Sessions of the Peace, to be holden for the said County of *Oxford*, or any Adjournment thereof, to give or cause to be given to such Owner or Owners, or to the principal Officer or Officers of such Bodies Politick, Corporate, Ecclesiastical, or Civil, or to leave or cause to be left at the House of the Tenant in Possession of the Lands or Hereditaments intended to be so purchased,

chased, Twenty-one Days Notice in Writing, denoting and particularly describing the same, and purporting that the Value of such Lands or Hereditaments will be adjusted and settled by a Jury at the said Session, or the Adjournment thereof; and the Justices, at their said Session, or any Adjournment thereof, upon Proof to them made of such Notice having been so given, or left, are hereby authorized and required to charge a Jury to be impanelled and returned by the Sheriff of the said County, without Fee or Reward, consisting of Twelve honest, substantial, and disinterested Persons, duly qualified to serve on Juries upon the Trial of Issues at Law, and cause them to be sworn well and truly on their Oaths to assess the Value of the Lands or Hereditaments comprised in the said Notice, and the Damages and Recompence to be given for the same, to the respective Owner or Owners thereof, according to their respective Interests therein, (which Oath the said Justices are hereby required to administer to such Jury,) and to which said Jury the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and all Parties interested in the said Lands or Hereditaments, shall have their lawful Challenges; and the said Jury, being so sworn and charged as aforesaid, and after proper Evidence on Oath to them given concerning the Nature, Quantity, and Value of the said Lands or Hereditaments, shall by their Verdict assess the Damages and Recompence to be given for the said Lands or Hereditaments to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and the Judgment of the said Justices upon the same, shall be finally binding and conclusive to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and to all Persons and Parties interested in the said Lands or Hereditaments; and such Verdicts, and the Judgment of the Justices thereupon, shall be fairly entered and kept amongst the Records of the Quarter Sessions for the County of Oxford, and of the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying

paying Six-pence for every One Hundred Words, and so in Proportion for any greater or less Number of Words.

Upon Payment or Tender of the Money, Premises vested in the University and City.

*And it is hereby further Enacted and Declared,* That upon Payment of such Sum or Sums of Money so to be adjudged for the Purchase of the said Premises, or any Part thereof, the Person or Persons intitled thereto shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments, and Assurances in the Law, to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, of the said Premises, for which such Sum or Sums of Money were so awarded, and shall do all Acts, Matters, and Things necessary or requisite to make a good, clear, and perfect Title thereunto; and such Conveyances, Assignments, and Assurances, shall contain all such reasonable and usual Covenants as shall, on the Behalf of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, be required; and in case any Person or Persons, to whom such Money shall be awarded as aforesaid, shall not evince a Title to the said Premises to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and make, or procure to be made, good and legal Conveyances thereof, or shall refuse so to do, being thereunto required, such Sum and Sums of Money, so awarded as aforesaid, being ready to be paid to him, her, or them, on making such Title, and tendered for that Purpose; or in case the Person or Persons intitled to the Premises, for which such Sum or Sums of Money shall be so awarded as aforesaid, shall not be known; or in case that, by reason of Disputes, depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or the Committee to be appointed as aforesaid, what Person or Persons is or are intitled to the Premises in Question; that then, and in all and every, or any such Case or Cases as aforesaid, it shall and may be lawful to and for the said Committee to order such Sum or Sums of Money, so awarded as aforesaid, as the Value

due of and Purchase-Money for the said Premises, to be paid into the Bank of *England* for the Use of the Parties interested in the said Premises, to be paid to them, and each and every of them, according to their respective Estates and Interests in the said Premises, at such Times as the said Committee, or any Seven or more of them, shall, by Warrant or Warrants under their Hands, order and direct; and the Cashier and Cashiers of the Bank of *England*, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premises, and for whose Use, the same is or are received, to such Person or Persons as shall pay such Sum or Sums into the Bank of *England* as afore-said; which Receipt or Receipts shall be entered on Record, and registered among the Records of the Quarter Sessions for the County of *Oxford*; and, immediately on such Payment and Registry, all the Estate, Right, Title, Use, Trust, Property, Equity of Redemption, Claim and Demand in Law and Equity, of all and every Person and Persons for whose Use such Money was paid, of, in, to, from, and out of the said Premises, or any Part thereof, shall vest in the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty; and they the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, shall be deemed in Law to be in the actual Possession thereof, and to be seised thereof in Fee-simple, freed and discharged from all Claims, Demands, and Equity of Redemption, either at Law or in Equity, to all Intents and Purposes, as fully and effectually as if all and every Person and Persons, having any Estate, Right, Title, Trust, Interest, or Equity of Redemption, of, in, to, from, or out of the said Premises, had actually conveyed the same by Lease and Release, Bargain and Sale inrolled, Feoffment, with Livery of Seisin, Fine and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Equity of Redemption, Claim and Demand of the Person or Persons, to whose Use such Payment was made, but also shall extend to, and be deemed, and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons,

and all Estates, Tail and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if levied or suffered by proper Parties in due Form of Law.

Purchase  
Money of  
Trust  
Estates to  
be laid out  
again.

*And it is hereby further Enacted and Declared, That* all and every Sum and Sums of Money, to be paid to any Body Corporate or Collegiate, Corporation Aggregate or Sole, Feoffee or Feoffees in Trust, Guardian, Committee, or other Trustee or Trustees, in Pursuance of this Act, shall be by them respectively laid out in the Purchase of Lands, Tenements, and Hereditaments, and settled to and upon, and subject to such Titles, Uses, Trusts, Limitations, Remainders, and Contingencies, as the said Lands and Premises so to be purchased by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, as aforesaid, were settled, limited, and assured at the Time of such Sale so made respectively, and shall and may be held and enjoyed accordingly.

After Payment, the  
Committee  
impowered  
to convert  
the Pre-  
mises into  
a Market.

*And be it further Enacted, That* from and immediately after Payment made for the Lands and Hereditaments so to be purchased as aforesaid, it shall and may be lawful for the said Committee to enter upon the Premises so to be purchased, and every Part thereof, and to convert the same to be used as a Market as aforesaid.

If Part of  
a House,  
&c. wanted  
for the Pur-  
poses of  
this Act,  
the Owner  
may  
oblige the  
Commis-  
sioners, &c.  
to purchase  
the  
Whole.

*Provided always, and be it Enacted, by the Authority* aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall be applied to, by or on Behalf of the said Commissioners, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, to treat for, sell, dispose of, or convey, for any of the Purposes aforesaid, any Part or Parts of any House, Warehouse, Yard, or Ground, in the actual Occupation of one Tenant, or of several Tenants, and the Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, so applied to, shall, by Notice in Writing, to be left at the Office of the respective Clerks, within Fourteen Days next after such Application, signify his, her, or their Inclination  
or



or Desire to treat for, sell, dispose of, and convey, the Whole of such House, Warehouse, Yard, or Ground; then, and in every such Case, the Whole of every such House, Warehouse, Yard, or Ground, shall be deemed, taken, and held to be necessary to be purchased for effecting the Purposes of this Act: And if it shall happen that the said Commissioners, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or their Committees, shall not think proper or be willing to purchase the Whole of such House, Warehouse, Yard, or Ground; then, and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of, or convey, any Part of such House, Warehouse, Yard, or Ground; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

*Provided also, and be it further Enacted*, by the Authority aforesaid, That it shall and may be lawful, to and for the said Commissioners, or any Nine or more of them, at any Meeting, or the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or any Person or Persons, in whom any House or Ground shall be vested by Virtue of this Act, to let, sell, or dispose of, so much or such Parts thereof, as shall not be necessary for the Opening or Widening of any of the said Streets, Lanes, Ways, Passages, or Places, or for and towards the erecting, establishing, and holding such new Market as aforesaid, to any Person or Persons, to and for such Use or Uses as they shall think proper, giving Preference to the Person or Persons, of whom the same shall have been purchased, and to his, her, or their Heirs, Executors, and Administrators.

*And, For raising a Sum of Money sufficient for the Payment of the Purchase of such Lands and Hereditaments, and other the Purposes of this Act; Be it further Enacted*, by the Authority aforesaid, That it shall and may be lawful to and for the said Committee, or any Seven or more of them, and they are hereby authorized

by borrowing a Sum not exceeding 5000l.

or by granting Building Leases,

or by granting Annuities.

rized and impowered, to raise, borrow, take, and receive, of and from any Person or Persons whomsoever, or any Body or Bodies Corporate or Politick whatsoever, who are willing to lend and advance the same, any Sum or Sums of Money, not exceeding in the Whole the Sum of Five Thousand Pounds, for the Payment of such Purchase-Money, and for such other Purposes as are herein before and herein after mentioned, and to set up and build all such Sheds, Stands, Stalls, and such other Erections, as shall be found necessary for constituting the said Market; or, if it shall be found to be more convenient and beneficial to let out such Grounds upon a Building Lease or Leases for the Purposes aforesaid, it shall and may be lawful for the said University or City, and they are hereby authorized and impowered, to set and let out such Ground for the best Rent that can be gotten for the same, payable Quarterly, at or upon the Four most usual Feasts or Days of Payment in the Year, upon a Lease or Leases, for any Term or Terms not exceeding Sixty-one Years, to any Person or Persons who shall be willing to contract for and take the same, with proper Covenants, binding him or them to build and set up all necessary Erections thereupon, for converting the same into a Market as aforesaid; or it shall and may be lawful to and for any Person or Persons to contribute, advance, and pay into the Hands of the said Committee, or any Seven or more of them, or such Person or Persons as they shall appoint, for the Uses before mentioned, any Sum or Sums of Money, not exceeding in the Whole the Sum of Five Thousand Pounds, for the absolute Purchase of one or more Annuity or Annuities, to be paid and payable during the full Term of the natural Life of such Contributors respectively, or the natural Life of such other Persons as shall be nominated by and on the Behalf of such respective Contributors, at the Time of Payment of their respective Contribution Monies; which Annuity or Annuities shall not exceed the Rate of Eight Pounds *per Centum per Annum* for every One Hundred Pounds, and so in Proportion for any greater or less Sum to be advanced and paid as aforesaid; which Annuities shall be payable and paid in such Place in the said University or City, as the said Committee, or any Seven or more of

of them, shall for that Purpose appoint, by Four equal Quarterly Payments, the first Payment to begin and be made to the respective Purchasers and their Assigns at the Expiration of the first Quarter of a Year after Payment of their respective Purchase-Monies; which Annuities shall be publickly sold by the said Committee, or any Seven or more of them,

*And it is hereby Enacted,* That there shall be provided Books to by the said Committee a Book or Books, in which be provided, shall be fairly written in Words at length the Names ed, and and Surnames, with the proper Additions and Places of the An- of Abode, of all such Persons who shall be Proprietors nuityants entered, of any of the Annuities aforesaid; and of all Persons, by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the Credit of this Act; and also the Sum so paid for the Purchase of such Annuities, and the respective Days of Payment thereof; to which Book and Books it shall be lawful for the said respective Purchasers and their Assigns, and to and for any Person or Persons liable to the Payment of Rates and Assessments in the said Parish, at all reasonable Times, to have Recourse, and inspect the same, without Fee or Reward,

*And it is hereby further Enacted,* That all and every Annuities the Contributor and Contributors upon the Credit of to be for this Act, duly paying the Consideration or Purchase the Lives of Contri- Money at the Rate aforesaid, for any such Annuity or butors, or Annuities as aforesaid, or such Person or Persons as he, such Per- sons as she, or they shall appoint, his, her, or their respective they shall Assigns, shall have, receive, and enjoy the respective nominate. Annuity or Annuities so to be purchased, during the Term of the natural Life of the Person to be nominated by each such Purchaser or Contributor as above mentioned; and that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute, and indefeasible Estates and Interest in the Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Tax assessed upon Land by Authority of Parliament; and that every Contributor upon this

this Act, for the Purchase of any such Annuity or Annuities as aforesaid, his, her, or their Assigns, upon Payment of the Consideration or Purchase Money for the same, at the Rate aforesaid, or any Part or Proportion thereof, into the Hands of the Committee, or such Person or Persons as they shall appoint, shall have one or more Receipt or Receipts, importing the Receipt of so much Purchase-Money as shall be paid, and upon Payment of all the Purchase-Money for any such Annuity or Annuities, every such Contributor, his, her, or their Assigns respectively, shall have an Order on Parchment or Vellum for Payment of the said Annuity or Annuities for and during the natural Life of such Person, as shall be nominated by such Contributor or Purchaser as aforesaid; which Order shall be signed by the said Committee, or any Seven or more of them, and after signing thereof, the same shall be firm, good, valid, and effectual in Law, according to the Purport and Meaning thereof, and of this Act.

Annuities  
may be  
assigned.

*And be it further Enacted*, by the Authority aforesaid, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her, and their Executors, Administrators, and Assigns, at any Time or Times, by Writing under his, her, or their Hands and Seals, (without any Stamp thereupon,) to assign such Annuity or Annuities, or any Part thereof, or any Interest therein, to any Person or Persons whomsoever, and so *toties quoties*; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose, by or under the Inspection of the said Committee, which Entry or Memorandum shall be made *gratis*.

Annuities  
payable  
out of the  
Rents of  
the Mar-  
ket.

*And be it further Enacted*, by the Authority aforesaid, That all and every the Annuities, so to be purchased under and by Virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable, from Time to Time, upon all Monies arising by the Rents and Profits of the Sheds, Stalls, Stands, and all other Buildings and Erections, to be set up in and upon the said Plot or Piece of Ground to be set out and appointed

appointed for the Scite of the said Market; and if the same shall prove deficient to pay the Annuities charged thereupon as aforesaid, then, and in such Case, the said Deficiency shall, from Time to Time, be equally paid and supplied by the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty.

Deficiencies to be made good by the University and City.

*And be it further Enacted*, by the Authority aforesaid, That the Houses, Buildings, and Ground, to be purchased by Virtue and under the Authority of this Act, for the Scite of the said Market as aforesaid, and all Sheds, Stalls, Standings, and other Erections to be built or set thereupon, and the Rents and Profits arising from the same, shall be, and are hereby vested in the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their Successors, for ever; and that they shall stand seised thereof, in Trust, for the several Uses, Intents, and Purposes, herein after mentioned and declared, of and concerning the same; that is to say, the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, or the said Committee, or any Seven or more of them, shall, out of the First Monies to be borrowed, or arising by granting of Leases, or the Sale of Annuities, as aforesaid, or by any other Ways and Means under the Authority of this Act, pay off and discharge all Debts that shall be incurred by the Purchases of the said Plot or Piece of Ground, and the Houses and Buildings thereon, for the Erection of the said Market, and all such Charges and Expences as shall necessarily attend the erecting and constituting the same; and the Rents and Profits arising thereby shall be applied in paying the Annuity or Annuities to be granted to such Purchaser or Purchasers as aforesaid, so long as any of them shall live; and all such Savings as shall, from Time to Time, be made by the Death of any such Annuitants, shall, after the Discharge of all Debts accrued on Account of the said Market, be vested in the said Chancellor, Masters, and Scholars, and the Mayor, Bailiffs, and Commonalty, equally, and the Savings, together with the Rents and Profits of the said Markets, after the Death of all such Annuitants, shall be and remain

vested in the University and City, in trust, to pay all Debts incurred on Account thereof, and afterwards equally between them.

an

an Estate for the Use and Benefit of the said Chancellor, Masters, and Scholars, and the said Mayor, Bailiffs, and Commonalty, and their Successors, for ever, equally, Share and Share alike.

Writings  
to be  
without  
Stamps.

*And be it further Enacted*, That no Nomination, Appointment, Information, Deposition, Order, Judgment, Conviction, Warrant, Lease, Mortgage, Assignment, Transfer, or other Security, for the Borrowing of Money, or any other Writing whatsoever, under the Hand and Seal, or Hands and Seals, of, or only signed by, any Commissioner or Commissioners for putting this Act in Execution, or any Lessee or Lessees of the said Tolls or Duties, or any Owner of any of the Securities aforesaid, or any Justice or Justices of the Peace, or exhibited before them, or any of them, touching, concerning, or in Execution of any Power or Authority hereby vested in them, or any of them respectively, shall be charged or chargeable with any Stamp or Duty whatsoever.

Method of  
recovering  
the Penalties im-  
posed by this  
Act, where  
no Method  
before  
pointed out.

By 21 Geo.  
III. p. 105.  
half the  
penalties,  
deducting  
Charges of  
recovering,  
to be paid  
to Inform-  
ers.

*And be it further Enacted*, That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall be levied and recovered by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any one Justice of the Peace for the said County or City of *Oxford*, which Warrant such Justice is hereby empowered to grant, upon the Confession of the Party or Parties, or upon the Information of any one or more credible Witness or Witnesses upon Oath, which Oath such Justice is hereby empowered to administer, and the Penalties and Forfeitures, when recovered, shall be paid to the Treasurer, or such other Person as the said Commissioners at any Meeting shall appoint for that Purpose, and be applied towards the Purposes of this Act; and in case sufficient Distress shall not be found, or such Penalties and Forfeitures shall not be paid forthwith, it shall and may be lawful to and for such Justice, and he is hereby authorized and required, by Warrant under his Hand and Seal, to cause the Offender or Offenders to be committed to the common Gaol, or House of Correction, there

there to remain, **without Bail or Mainprize**, for any Time not exceeding Three Calendar Months, nor less than Fourteen Days, unless such Penalties and Forfeitures, and all reasonable Charges, shall be sooner fully paid and satisfied.

*And be it further Enacted*, That when any Distress <sup>Distress,</sup> shall be made for any Sum or Sums of Money to be <sup>though irregular, no</sup> levied by Virtue of this Act, the Distress shall not be <sup>Trespass.</sup> deemed to be unlawful, nor the Party or Parties making the same be deemed a Trespasser or Trespassers, *ab initio*, on Account of any Defect or Want of Form in the Summons, Conviction, Warrant of Distress, or other Proceedings, relating thereto, nor shall the Party or Parties distraining be deemed a Trespasser or Trespassers, *ab initio*, on Account of any Irregularity which shall afterwards be done by the Party or Parties distraining, but the Person or Persons aggrieved by such Irregularity shall and may recover full Satisfaction, for the <sup>Satisfaction</sup> special Damage, in an Action upon the Case; provided <sup>for the special Damage.</sup> that no Plaintiff or Plaintiffs shall recover in any Action or Actions for such Irregularity, unless a Notice in Writing shall be given Twenty-one Days before such Action shall be commenced, of such intended Action, signed by the Attorney for the Plaintiffs, specifying the Cause of such Action; nor shall the Plaintiffs recover in such Action, if sufficient Tender of Amends hath been made to him, her, or them, or his, her, or their Attorney, by or on the Behalf of the Defendant or Defendants before such Action brought.

*And be it further Enacted*, That no Order, Verdict, <sup>Proceedings</sup> Assessment, Judgment, or other Proceeding, made, <sup>not quashed</sup> touching, or concerning any of the Matters aforesaid, <sup>for Want of Form only,</sup> or touching or concerning the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only, or be removed or removable by Certiorari, or any other Writ or Process whatsoever, into any of his Majesty's <sup>or removable by Certiorari.</sup> Courts of Record at *Westminster*; any Law or Statute to the contrary thereof in any wise notwithstanding.

*Provided always, and be it further Enacted*, That if any <sup>Persons aggrieved may</sup> Person

appeal to  
Quarter  
Sessions on  
Notice.

Person shall think himself or herself aggrieved by any Thing done in Pursuance of this Act, for which no particular Method of Relief hath been already mentioned, such Person may appeal to the Justices of the Peace, at any General Quarter Sessions of the Peace, to be held for the County or Place wherein the Cause of Complaint shall arise, and within Six Calendar Months after the Cause of such Complaint shall have arisen, such Appellant first giving Eight Days Notice at least, in Writing, of his or her Intention to bring such Appeal, and of the Matters thereof, to the Clerk or Treasurer to the said Commissioners, and within Four Days after such Notice entering into a Recognizance before some Justice of the Peace for such County or Place, with Two sufficient Sureties conditioned to try such Appeal, and abide the Order of, and to pay such Costs as shall be awarded by, the Justices at such Quarter Sessions; and the said Justices at such Sessions, upon due Proof of such Notice being given, as aforesaid, and the entering into such Recognizance, shall hear and finally determine the Causes and Matter of such Appeal, in a summary Way, and award such Costs to the Parties appealing or appealed against, as the said Justices shall think proper; and the Determination of such Quarter Sessions shall be final, binding, and conclusive, to all Intents and Purposes.

Limitation  
of Actions.

*Provided always, and be it further Enacted,* That no Action or Suit shall be commenced against any Person or Persons for any Thing done in Pursuance of this Act, by Order of the said Commissioners, or Committee, or such competent Number of them as is herein required, until Twenty-one Days Notice shall be thereof given to the Clerk or Clerks to the said Commissioners, or Committee, or after sufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after Six Calendar Months after the Fact committed; and every such Action or Suit shall be laid or brought in the County or Place where the Matter shall arise, and not elsewhere; and the Defendant and Defendants, in every such Action or Suit, shall or may, at his or their Election, plead specially, or plead the general Issue, and give this Act and the special Matter



Matter in Evidence at any Trial to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act; and if the same shall appear to be so done, or if such Action or Suit shall be brought before Twenty-one Days Notice shall be thereof given, as aforesaid, or after a sufficient Satisfaction made or tendered, as aforesaid, or after the Time limited for bringing the same, as aforesaid, or shall be brought in any other County, then the Jury shall find for the Defendant or Defendants: And upon such Verdict, or if the Plaintiff or Plaintiffs shall be non-suited, or discontinue his, her, or their Action or Suit, after the Defendant or Defendants shall have appeared, or if upon Demurrer Judgment shall be given against the Plaintiff or Plaintiffs, then the Defendant or Defendants shall recover Treble Costs, and have such Remedy for Treble the same as any Defendant or Defendants hath or have Costs. in other Cases of Law.

*Provided also, and it is hereby further Enacted, That* <sup>Saving Clause, as to the Privileges of the University, Officers, City and</sup> nothing in this Act shall extend, or be deemed or construed to extend, to take away, diminish, or impede the Exercise of any Privilege or Right whatsoever of the said University, or of any of the Magistrates, Officers, Ministers, or Servants thereunto belonging, or of any Privilege or Right whatsoever of the said City, or of any of the Magistrates, Officers, or Servants thereunto belonging.

*And be it further Enacted, That this Act shall be* <sup>Publick</sup> deemed, adjudged, and taken to be a Publick Act; <sup>Act.</sup> and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whatsoever, without being specially pleaded.

*The*

*The first SCHEDULE to which this Act refers, containing an Account of the Ways and Streets to be paved, widened, and repaired, exclusive of the Mile-Ways.*

**T**HE Street or Way leading from *Magdalen Bridge* to *East Gate*, called *Bridge Street*.

The Street or Way called the *Highb Street*, leading from thence to *Carfax*.

The Street or Way leading from *Carfax* to the new Turnpike Road to *Witney*, called the *Butcher Row*.

The Street or Way leading from the *Highb Street*, near *All Souls College*, to *Broad Street*.

The Street or Way called *Broad Street*, and the Street or Way leading from thence to the North Side or End of *Balliol College*.

The several Streets or Ways leading from the Roads on both Sides of *Saint Giles's Church* to *Folly Bridge*, and which are commonly called *Saint Giles's*, the *Corn Market*, *Fifth Street*, and *Saint Toll's*; or by whatsoever other Name or Names the said Streets or Ways, or any or either of them, is or are called or known.

*The*

*The second SCHEDULE to which this Act refers.*

**I**N order to make good and convenient Roads of sufficient Width, to the East End of *Magdalen Bridge*, to purchase such Houses, Buildings, Land, or Ground, near or adjoining to the Mile-Ways there, as shall be necessary for that Purpose.

In order to rebuild and widen *Magdalen Bridge*, to take down a Malt-house, or other Buildings, and the several Houses built upon or situate on the South and North Sides of the said Bridge, and such other Buildings as shall be necessary for rebuilding the said Bridge, and widening the Avenues leading thereto, and to purchase such Ground as shall be necessary for carrying off the Water from the said Bridge.

In order to open the *Bridge Street*, from the West End of *Magdalen Bridge*, to the East End of the *Higb Street*, to take down the House and other Buildings in the *Physick Garden*, and such other Houses, Buildings, and Walls, near *Magdalen College*, as shall be necessary for that Purpose; to take down the *East Gate*, and such Houses and Buildings, near or adjoining to it, on the South and North Sides of the said Street, and to purchase such Ground as shall be necessary to render the Street of an equal Width with the *Higb Street*.

In order to open the Street near *Carfax*, to take down *Carfax Conduit*.

In order to open *Butcher-Row Street*, to take down such of the Houses and Buildings near to *Carfax Church*, on the North and South Sides, and also the Shambles in the Middle of the said Street, and purchase such Ground as shall be necessary for widening the said Street.

In order to open the Street at the North End of the *Corn Market*, to take down the *North Gate*, and so much of the Prison called *Bocardo*, and such Houses  
and

and other Buildings on both Sides of the said Street, near *Saint Michael's* Church, and purchase such Ground as shall be necessary to widen the said Street.

In order to widen the Street from *North Gate* to *Saint Giles's*, to take down the Houses and other Buildings, standing in the Middle of the Street on the North and South Sides of *Saint Mary Magdalen* Church, together with the Pound near the said Church.

In order to widen the Street at the End of *Broad Street*, to take down the Wall on the South Side of *Balliol College*, and take in such Part of the Garden as shall be necessary.

AN

AN  
ACT

TO AMEND AND ENLARGE

THE POWERS OF AN ACT PASSED IN THE ELEVENTH YEAR  
OF HIS PRESENT MAJESTY'S REIGN,

FOR PERFORMING SEVERAL WORKS,

AND

MAKING IMPROVEMENTS

WITHIN THE

UNIVERSITY AND CITY OF OXFORD,

AND IN THE SUBURBS THEREOF,

AND

IN THE ADJOINING PARISH OF SAINT CLEMENT,

---

21 GEO. III. 1781.

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A N

## A C T

To amend and enlarge the Powers of an Act passed in the Eleventh Year of his present Majesty's Reign, for performing several Works, and making Improvements within the University and City of Oxford, and the Suburbs thereof, and in the adjoining Parish of Saint Clement.

**W**HEREAS an Act was passed in the Eleventh Year of his present Majesty's Reign, for amending certain of the Mile-Ways leading to *Oxford*; for making a commodious Entrance through the Parish of *Saint Clement*; for Rebuilding or Repairing *Magdalen Bridge*; for making commodious Roads from the said Bridge, through the University and City, and the Avenues leading thereto; for Cleaning and Lighting the Streets, Lanes, and Places within the said University and City, and the Suburbs thereof, and the said Parish of *Saint Clement*; for Removing Nuisances and Annoyances therefrom, and preventing the like for the future; for empowering Colleges and Corporations to alienate their Estates there; for Removing, Holding, and Regulating Markets within the said City, and for other purposes:

*And whereas* great Progress has been made in executing the said Act; particularly the said Mile-Ways have been amended, Temporary Bridges provided, a new Stone Bridge built over the River *Oberwell*, near *Magdalen College*, which is now passable, (but not completed,) several Houses and Buildings purchased

Great Progress has been made.

and

and taken down, in order to make commodious Avenues to the said Bridge and Entrance into and through the said University and City; the principal Street, called the *High Street*, new paved, and several other Works performed, wherein a large Sum of Money hath been expended, which was taken up at Interest on the Credit of the Tolls by the said Act granted :

Present  
Term of  
the Tolls.

*And whereas* the said Tolls are to have Continuance from the Commencement thereof for the Term of Twenty-one Years, and to the End of the then next Session of Parliament :

The Works  
cannot be  
completed  
without a  
further  
Term and  
Assistance.

*And whereas* the said Bridge and Avenues thereto cannot be completed, and the Money so borrowed be repaid, and the Bridge and Mile-Ways kept in Repair in future, unless the said Tolls are continued for a further Term, and some other Assistance given :

It would be  
advan-  
tageous to  
have the  
whole  
Town  
paved un-  
der the  
Act, and  
some other  
Parts  
widened.

*And whereas* it would be a great Advantage to the Inhabitants of the said University, City, and Suburbs, and Parish of *Saint Clement*, and to all Persons resorting thereto, to have the Whole of the Streets, Lanes, Passages, and open Places therein paved; and some other of the said Streets and Passages widened, besides those specified in the said Act :

*And whereas* some other Amendments and further Regulations are wanting to the said Act to make it extensively useful ;

May it therefore please your MAJESTY,

The Term  
of the for-  
mer Act  
respecting  
Tolls, &c.  
continued  
for a further  
Term.

That it may be *Enacted* ; *And be it Enacted* by the KING'S MOST EXCELLENT MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That so much of the said Act passed in the Eleventh Year of his present Majesty's Reign as relates to the Tolls thereby granted, and to the Mile-Ways, Stone-Bridge, and Avenues thereto, shall have Continuance from the Expiration of the Term by the said Act limited, for and



and during the further Term of Twenty-one Years, and to the End of the then next Session of Parliament.

*And be it further Enacted*, That it shall be lawful for the Commissioners for putting the said Act in Execution, or any Nine or more of them, from Time to Time, and for so long Time as they shall think proper, after giving Fourteen Days Notice in writing, upon all the Turnpikes, to cause double the Tolls by the said Act granted to be demanded, taken, or recovered for the Passage of Horses, Cattle, Beasts, and Carriages, on a Sunday, (the Day to be computed from Twelve of the Clock in Saturday Night to Twelve of the Clock in Sunday Night), which Toll hereby granted shall and may be collected, recovered, levied, assigned, and applied, in such and the same Manner, and be under and subject to the same Terms and Conditions as are in the said former Act and this Act given, granted, and provided, with respect to the Tolls by that Act granted. Double  
Toll on  
Sundays.

*And be it further Enacted*, That in all Cases of Carriages travelling for Hire, the first Payment shall not exempt such Carriages (Stage Coaches only excepted) returning, or repassing with a different Traveller or Passenger, Travellers or Passengers; but that he, she, or they, shall be obliged to pay the Toll in the same Manner as if the said Carriage had not before passed in that Day; any Thing in the said Act, or in this Act contained to the contrary notwithstanding. Passengers  
in returned  
Carriages to  
pay.

*And be it further Enacted*, That the said Commissioners, or any Five or more of them, shall cause all Expences of Cleansing and Lighting the said Bridge, from Time to Time, to be paid and defrayed out of the Tolls granted by the said former Act, and this Act; or out of the Money to be borrowed upon the Credit thereof, and not out of any Rate to be made for Cleansing and Lighting as was directed by the said former Act; any Thing therein or herein contained to the contrary notwithstanding. Expence  
of Cleans-  
ing and  
Lighting  
the Bridge  
out of the  
Tolls.

*And be it further Enacted*, That if any Person or Persons shall negligently or carelessly deface or damage the Bridge, &c. Penalty  
for damag-  
ing the  
the Bridge, &c.

the said Bridge, or any Part thereof, or any of the Works or Materials thereto belonging, every such Person shall, for every Offence, (provided the same be not Felony by the Laws of this Realm), forfeit and pay the Sum of Five Pounds, over and above such Penalties and Punishments as he, she, or they shall be otherwise liable to by Law.

Penalty  
on getting  
over the  
Bridge, or  
planting  
Trees, &c.  
near it.

*And be it further Enacted*, That if any Person or Persons shall get over the said Bridge, either into or from the Water, or either of the adjoining Meadows ; or shall erect any Building, or plant any Tree or Trees, or set up any Rick of Hay or Straw, or other Matter or Thing, within Twenty Yards on either Side of the said Bridge, every such Person shall, for every such Offence, forfeit and pay the Sum of Ten Shillings, and be obliged to remove the same within the Space of Ten Days after Notice given by any Five or more of the said Commissioners, or their Clerk, under the Penalty of Five Shillings for every Day the same shall remain after such Notice.

To widen  
the High  
Street.

*And be it further Enacted*, That it shall be lawful for the said Commissioners, and they, or any Fifteen or more of them, are hereby impowered to cause the said Street, called the *High Street*, to be widened in the upper Part thereof, by taking down the Houses, Buildings, Shops, and Tenements, situate on the North Side of the said Street, or such Parts thereof respectively as shall be necessary, and which now project beyond the Line of the said Street, and are or lately were in the several Possessions or Occupations of *James Slater, Cook ; J. Radford, Edward Lock, Thomas Bush, Hannab Hammore, John Midwinter, John Smith, George Moore, John Winchester, and Joseph Mason*, or their Under-Tenant or Under-Tenants ; and for that Purpose it shall be lawful for the said Commissioners, or any Fifteen or more of them, to become possessed of the said Houses, Buildings, Shops, and Tenements, or so much thereof as shall be necessary ; and to pay for the same, and all Expences in Widening the said Street, out of the Money to arise by or on Account of the Tolls to be taken by Virtue of the said former Act, and this Act : And all the Clauses, Powers,

Powers, Provisions, Authorities, Regulations, Restrictions, and Directions in the said former Act contained, respecting or any ways relating to Widening or Altering any of the Roads or Streets within the said University or City of *Oxford*, or the Suburbs thereof, shall, where necessary or applicable, take Place, be executed, and put in Force in all Respects and to all Intents and Purposes, and the said Commissioners, and the said Houses, Buildings, Shops, and Tenements, and the Owners and Occupiers thereof, and all Persons interested therein, shall be subject to, and supported by the Provisions and Directions of the said former Act, in such and the same Manner as could, would, or might have been, in case the Business of Widening the said *High Street*, as intended by this Act, had been included, and made a Part of the said former Act.



*And be it further Enacted*, That so much of the said former Act as directs the applying any of the Tolls or Duties, or the Money to be borrowed on the Credit thereof, in Repairing and Paving the Roads and Streets which are enumerated and described in the Schedule to the said Act annexed, intituled the first Schedule, shall be, and the same is hereby repealed.

*And be it further Enacted*, That from and after the passing of this Act, the said Commissioners, or any Seven or more of them, shall have full Power and Authority from Time to Time to cause, order, and direct not only the said Roads, Ways, and Streets included in the first Schedule to the said Act annexed, but all other the Public Streets, Lanes, Ways, Passages, and Places within the said University, City, and Suburbs, and the said Parish of *Saint Clement*, to be paved and pitched, and kept in Repair, in such Manner as they the said Commissioners, or any Seven or more of them, shall think most proper; for which Purposes they are hereby vested with all the Powers and Authorities, and shall be subject to all the Provisions, Regulations, and Restrictions, which are set forth and contained in the said former Act, with respect to Paving and Repairing the said Roads, Streets, and Ways, contained in the said first Schedule.

Manner of  
rating in  
the former  
Act, by  
Running-  
Measure,  
found to be  
inequi-  
table.

*And whereas* Power is given to the Commissioners, by the said former Act, to make Rates or Assessments for defraying the Charges of Paving, Repairing, Cleansing, and Lighting, at a certain Sum by the Yard, Running Measure, of the Fronts or Lengths of the Buildings and Places liable to be rated ; which Mode of Rating proves to be inequitable :

Method of  
raising  
Money for  
paving,  
repairing,  
cleansing,  
and light-  
ing.

*Be it therefore further Enacted*, That the Powers and Directions given by the said Act to raise Money by the Running Measure as aforesaid, shall be, and are hereby repealed ; and that from and after the Passing of this Act, the Monies necessary for defraying the Charges and Expences of Paving, Pitching and Repairing, and Cleansing and Lighting the several Public Streets, Lanes, Ways, Passages and Places within the said University, City, and Suburbs, and Parish of *Saint Clement*, shall be raised in Manner following ; that is to say, the said Commissioners, or any Seven or more of them, shall annually, or oftener, ascertain, at a public Meeting to be held for that Purpose, the Monies they shall judge necessary to be raised for the respective Purposes of Paving, Pitching, and Repairing, and also for the Purpose of Cleansing and Lighting ; and shall, within Two Days after any such Sum shall be ascertained and agreed upon, give Notice thereof, specifying the Sum or Sums to the Vice-Chancellor of the said University, in Writing, under the Hands of any Seven or more of them, to be delivered to him, or left at his Place of Abode ; two Fifth Parts of which respective Sums, each such Sum into Five equal Parts to be divided, shall be paid by or on Account of the said University in Manner hereinafter mentioned ; and the other three Fifth Parts shall be raised by Rates or Assessments to be made by the said Commissioners, or any Seven or more of them, in Manner following ; that is to say, the respective Rates for new Paving and Pitching shall be laid by a Pound-Rate upon the Owners or Proprietors of all Houses, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, situate within the public Streets, Lanes, Ways, Passages, and Places to be Paved and Pitched by Virtue of the said former Act and this Act ; and that the Rate or Assessment for Repairing, Cleansing,

Cleanfing, and Lighting, fhall be laid by a Pound-Rate upon the Tenants or Occupiers of all Houfes, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments in the faid Univerfity, City, and Suburbs thereof, and the faid Parifh of *Saint Clement*.

*Provided always, and it is hereby Enacted and Declared*, That the whole of the Money to be afcertained by Virtue of this A&t for the Purpofe of new Paving and Pitching, fhall be fo limited, that the Proportion of the three Fifth Parts of the Affeffment to be laid upon the Owners and Proprietors of Houfes, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, fhall not exceed the Sum of One Shilling in the Pound, in any one Year, of the yearly Rent or yearly Value of fuch Houfes, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments refpectively : And that the whole of the Monies to be afcertained for the Purpofe of repairing the Pavements, and Cleanfing and Lighting the Streets, Lanes, Ways, Paffages, and Places within the faid Univerfity, City, and Suburbs, and Parifh of *Saint Clement*, fhall be fo limited, that the Proportion of the Affeffments to be laid upon the Occupiers of Houfes, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments, fhall not exceed the Sum of One Shilling in the Pound in any one Year, for the Purpofe of repairing the Pavements ; nor the Sum of One Shilling in the Pound in any one Year, for the Purpofe of Cleanfing and Lighting, of the yearly Rent or yearly Value of fuch Houfes, Buildings, Yards, Gardens, Lands, Tenements, and Hereditaments refpectively.

*And be it further Enacted*, That all Arrears of Money due at the Time of paffing this A&t, or before this A&t fhall be begun to be put in Execution, to any Perfon or Perfon, for, or on Account of Cleanfing or Lighting, are hereby charged upon, and fhall be paid out of the Monies to arife by the Rates to be made by Virtue of this A&t for thofe Purpofes.

*And be it further Enacted*, That all Arrears of Rates made by Virtue of the faid former A&t, which fhall remain

Limitation  
of Monies  
to be raifed.

For paying  
all Arrears  
due to Con-  
tractors and  
others on  
Account of  
Cleanfing  
and Light-  
ing.

Manner of  
recovering  
Rates.

remain unpaid at the Time of collecting the first Rates made by Virtue of this Act, shall and may be collected and recovered by the Person and Persons appointed to collect the Rates under this Act ; and that the several and respective Rates by this Act authorised to be made, shall be allowed and signed by Two Justices of the Peace for the said City or University, and shall and may be collected, recovered, and levied in such and the same Manner, and under the several and respective Powers, Provisions, Regulations, and Restrictions, as are by the said former Act provided and enacted, with respect to the Rates and Assessments thereby laid upon Houses, Yards, Gardens, Lands, Tenements, or Hereditaments.

The University to pay their Proportion, and make a Rate upon the Colleges to reimburse.

*And be it further Enacted*, That the Chancellor, Masters, and Scholars of the said University of Oxford shall, and they are hereby required to pay or cause to be paid the Sum which shall have been ascertained as the Proportion of any Rate or Rates made by Virtue of this Act, to be paid on Account and Behalf of the said University ; and in case the said Chancellor, Masters, and Scholars shall neglect or omit, after any such Account shall have been delivered to, or left for the said Vice-Chancellor, to pay or cause to be paid to the Treasurer or Clerk or Clerks to the said Commissioners, on Demand, the Amount of the Proportion so charged upon the University ; then the Vice-Chancellor, for the Time being, shall be, and is hereby deemed and made liable to pay the said Proportion of two Fifth Parts of each Assessment by this Act charged upon the said University ; and the same and every Part thereof may and shall be recovered of and from him, by such Ways and Means as are by the said Act prescribed for Recovery of Rates or Assessments laid upon any College or Hall :

The University to ascertain the Sum they adjudge to be the Quota of each College or Hall.

*Provided always*, That the said Chancellor, Masters, and Scholars may, and they are hereby impowered and required, from Time to Time, to ascertain the Sum which they shall adjudge to be the Quota of each College and Hall, to make up the said two Fifth Parts, and may make a Rate or Rates on each such College and Hall.

and Hall for the same; which may be sued for in the Name of the Vice-Chancellor, and recovered of the Bursars or other Officers, by the Ways and Means mentioned and prescribed by the said former Act, with respect to the Rates and Assessments thereby laid upon Colleges and Halls.

*And be it further Enacted*, That the said Chancellor, University Masters, and Scholars may, and they have hereby <sup>to deduct a reasonable Allowance for the</sup> Power to deduct such an Allowance for the Trouble of collecting from the several Colleges and Halls, as to the said Commissioners, or any Seven or more of them, <sup>Expence of collecting.</sup> shall appear reasonable, at the Time of receiving the Money, on Account of the University.

*Provided also, and be it further Enacted*, That neither <sup>Exemption of</sup> the Public Market of the said City of Oxford, <sup>estations from the Rates.</sup> established by Virtue of the said Act, nor any Meadow, Pasture, or Arable Land, nor any Ground which shall exceed Half an Acre, and be used as a Garden for Sale of the Produce thereof, nor any Person or Persons who is or are not charged upon, or on Account of Poverty excused paying to the Poors Rates, shall be charged or be liable to pay any, or any Part of any Rate or Assessment made by Virtue of this Act.

*And be it further Enacted*, That the whole of the <sup>Application of</sup> Money so to be received, assessed and collected, or recovered, shall be applied to the several and respective <sup>Money arising by the Rates.</sup> Purposes for which they are granted, and to or for no other Use or Purpose whatsoever, except as herein-after is excepted.

*Provided also, and be it further Enacted*, That in Case <sup>Power for</sup> any of the said Colleges or Halls, or the Owners or <sup>Colleges, &c. or</sup> Proprietors of any Houses, Buildings, Yards, Gardens, <sup>Owners of</sup> Lands, Tenements, and Hereditaments, in the said <sup>Houses, &c. to advance</sup> University, City, and Suburbs thereof, and the said <sup>Three or</sup> Parish of Saint Clement, shall choose to advance and pay, <sup>Four Years</sup> or cause to be advanced and paid, any Sum or Sums of <sup>Paving</sup> Money, not exceeding the Amount of Three or Four <sup>Rates, to new pave</sup> Years Paving Rates on their respective Colleges, Halls, <sup>Streets, &c.</sup> Houses, Buildings, Yards, Gardens, Lands, Tenements, <sup>and which are</sup>

to be allowed as paid in future Rates.

and Hereditaments, in order the more expeditiously to new pave the said Streets, Lanes, Ways, Passages, and Places, within the said University, City, and Suburbs thereof, and Parish of *Saint Clement*, the same shall be allowed as paid in the future Rates made for new paving.

The *Turl* to be widened.

*And whereas* in Case the Street or Passage, in the said City of *Oxford*, called the *Turl*, which is at present very narrow, was made sufficient to admit Carriages to pass commodiously, a very convenient Communication would be made between the Streets called *Broad Street* and the *High Street*, within the said City, *Be it therefore further Enacted*, That it shall be lawful for the said Commissioners, or any Fifteen or more of them, to treat and agree with the Owners and Occupiers of, and all other Persons interested in the Houses and other Buildings and Ground, both on the East and West Sides of the said Street or Passage called the *Turl*, for the same, or so much thereof as may be necessary for the Purpose aforesaid, and to purchase and become seised and possessed thereof, and to pay for the same out of any Money that shall come to their Hands for such Purpose, either by Subscription, or public or private Donation or Bequest; and that it shall be lawful to and for all Bodies Politic, Corporate, or Collegiate, Corporations Aggregate or Sole, and all Persons whomsoever under any Disability, and Persons acting for others, to contract for, sell, convey, surrender, or assign to the said Commissioners, or any Fifteen or more of them, or to such Person or Persons as they shall appoint, in Trust for them, all or any such Buildings, Houses, and Ground, or any Part or Parts thereof, or any Estate or Interest therein; and that all such Sales, Conveyances, Surrenders, and Assignments, shall be good and valid in the Law, to all Intents and Purposes; and that if any such Bodies, Corporations, or other Persons, upon Notice to them respectively given, or left in Writing at the Place of Abode of the Person or Persons, or of the Head Officer or Officers of such Bodies or Corporations respectively, or at the House or Houses of the Tenant or Tenants in Possession, shall, by the Space of One Calendar Month next after such Notice, given or left



left as aforesaid, neglect or refuse to treat, or shall not agree in the Premises, or by Reason of Absence shall be prevented from treating, then and in every such Case it shall be lawful for the said Commissioners, or any Fifteen or more of them, to cause the Subject Matter to be enquired into, and all Differences to be adjusted, settled, and determined, and proper Recompences and Damages ascertained by a Jury, in such Manner, and under the same Rules and Orders, as are in the said former Act prescribed for settling Recompence and Damage, on Account of widening any of the Streets or Places therein mentioned.

*And be it further Enacted*, That when and as soon as <sup>When</sup> full Satisfaction shall be made, by any of the Means <sup>Estates are</sup> aforesaid, to all Persons interested in such Houses, <sup>paid for,</sup> Buildings, and Ground, it shall be lawful for the said <sup>the Passage</sup> Commissioners, or any Nine or more of them, and they <sup>may be</sup> are hereby empowered to cause the Houses and Buildings to be taken down, and the Ground, or so much thereof as they shall think proper, to be laid into the said Street or Passage, and dispose of the Overplus Ground (if any) and the Materials, in such Manner as they shall think proper, and apply the Money arising therefrom towards widening the said Street or Passage.

*Provided always, and be it Enacted*, That if the said <sup>Time li-</sup> Commissioners, or any Fifteen or more of them, shall <sup>imited for</sup> not, within Three Calendar Months after every Judg- <sup>paying</sup> ment, Decree, or Determination of any Jury, pay, <sup>Purchase</sup> or cause to be paid, all such Sum or Sums of Money as <sup>Money.</sup> shall be awarded for the Purchase of, or for Recompence or Damage to be sustained by the Owners, Occupiers, and Persons interested in the Premises, then the Judgment, Decree, or Determination as aforesaid, and all Deeds, Contracts, Agreements, or Proceedings to be had, made, or done in Consequence thereof, shall be utterly void and of no Effect; any Thing in the said former Act, or in this Act contained to the contrary notwithstanding.

*Provided also*, That if, after Notice shall have been <sup>Provido</sup> given of the Intention of calling a Jury for any of the <sup>with re-</sup> <sup>spect to</sup> Purposes <sup>calling a</sup> Jury.

Purposes aforesaid, the said Commissioners, or any Fifteen or more of them, shall not cause a Jury to be summoned, by issuing their Warrant or Warrants to the Sheriff of the County of *Oxford*, or if the said Commissioners, or any Fifteen or more of them, shall neglect or omit to make Payment in Manner directed, then and in every such Case the said Commissioners, or any of them, shall not at any future Time issue any Warrant or Warrants for calling a Jury; and no Person or Persons to whom any Notice shall have been given shall, on the Failure of summoning such Jury, be obliged at any Time after to contract for, sell, or otherwise dispose of any Premises which he, she, or they may be seised or possessed of, or interested in.

No Money arising by Tolls or Rates to be applied for this Purpose. *Provided likewise, and it is hereby Declared and Enacted*, That no Part of the Money to arise by or on Account of the Tolls or Rates, established by Virtue of the said former Act, or this Act, shall be applied for any Use or Purpose relating to widening the said Street or Place called the *Turl*.

Reciting that a New Market has been completed. *And whereas*, in Pursuance of the Directions and Powers contained in the before recited Act, the Committee respectively deputed and appointed by the Chancellor, Masters, and Scholars of the University of *Oxford*, and the Mayor, Bailiffs, and Commonalty of the City of *Oxford*, have proceeded to erect and build a New Market, and have completed the same, on a Plot or Piece of Ground set out and described by the Commissioners appointed by, or acting under the said Act :

By the Laws in Force Distresses for Rent cannot be sold till the Expiration of five Days, tho' Goods may be of a perishable Nature. *And whereas* by the several Laws now in Force for recovering Rents in Arrear, the Person distraining any Goods or Chattels cannot sell or dispose of the same until the Expiration of Five Days next after such Distress taken, and Notice thereof given to the Party distrained upon, which has been found inconvenient in Distresses made for Arrears of Rents due from Persons occupying Shops and other Erections in the said Market, by Reason of the Goods being of a perishable Nature :

*Be*

*Be it therefore further Enacted,* That in all Cases where any Rent shall henceforth become due and be in Arrear, for or in Respect of any of the said Shops and other Erections in the said Market, and any Goods or Chattels shall be taken in Distress for the same, and the Tenant or Owner of the Goods or Chattels, so distrained, shall not within the Space of Twenty-four Hours next after such Distress taken, and Notice thereof (with the Cause of such Distress) given to the Person distrained upon, or left at his usual Place of Abode, or upon some notorious Part of the Premises charged with the Rent distrained for, replevy the same, with sufficient Sureties, as in the Cases of other Distresses, then, after such Distress and Notice as aforesaid, and Expiration of the said Twenty-four Hours, the Goods and Chattels so taken in Distress shall and may be appraised, and afterwards sold and disposed of in such Manner and for such Purposes, and under and subject to such Provisions and Regulations as are mentioned and enacted with Respect to other Distresses for Rent; any Law, Statute, or Usage to the contrary notwithstanding.

*And whereas* it will be more convenient that the present Market for Butter and Eggs should be removed into the said New Market; and some Doubts have arisen whether Apples, Cherries, and other Fruit, which are sold or exposed to Sale in the said University and City, and Suburbs thereof, are obliged, under and by Force of the before recited Act, to be brought into and sold in the said New Market:

*Be it therefore further Enacted,* That it shall not be lawful for any Person or Persons hereafter to vend or expose to Sale any Butter, Eggs, Apples, Cherries, or other Fruit, in any other Place whatsoever within the said University, City, or Suburbs, than in the said New Market; (other than and except such Apples, Cherries, and Fruit as shall be sold by Persons inhabiting within the said University, City, or Suburbs, within their own Houses or Shops, and which shall be *bona fide* their Property, and which shall be raised within their own Gardens or Plantations within the said University or City,

May be  
sold in  
Twenty-  
four Hours,  
if not  
replevied.

Butter,  
Eggs, and  
Fruit (ex-  
cept as  
excepted)  
to be sold  
in the New  
Market  
only.

City, or shall have been by them purchased in the said New Market;) and every Person who shall hereafter vend or expose to Sale any Butter, Eggs, Apples, Cherries, or other Fruit, (except as aforesaid) in any other Place within the said University, City, or Suburbs, than in the said New Market, shall be subject and liable to the same Penalty, and to be recovered and disposed of in the same Manner as is mentioned and directed by the said Act, in Respect of Persons vending or exposing to Sale any Manner of Flesh, or other raw Victuals, Fish, Poultry, Herbs, Roots, or Garden-Stuff, in any other Place within the said University, City, or Suburbs, than in the said New Market.

Foreign  
Fruit ex-  
cepted.

*Provided always*, That nothing herein contained shall prevent, or be construed to prevent any Person or Persons from exposing to Sale or selling any Oranges, Lemons, or other Fruit which shall be the Growth or Produce of Foreign Parts, within their own Houses or Shops,

*And whereas* the North Part of the said New Market consists of an Area, or void Space of Ground, which is occupied upon Market Days by Persons resorting to the said Market with Apples, Peas, Potatoes, and other Garden-Stuff, in their several Seasons, and various other marketable Goods and Commodities, and no Provision is made by the said Act for payment of any Sum or Sums of Money in respect thereof:

Persons to  
pay for  
selling any  
Thing in  
the Area on  
the North  
of the  
Market.

*Be it therefore Enacted*, That the said Chancellor, Masters, and Scholars, and Mayor, Bailiffs, and Commonalty, and their respective Successors, or the Committee by them respectively from Time to Time appointed as aforesaid, shall and may demand and take of and from the said several Persons so occupying the said Area, with their respective Goods as aforesaid, any reasonable Sum or Sums of Money, by way of and as a Compensation for, and in Proportion to the Space of Ground so by them respectively occupied.

*And whereas* the rating and assessing of the said  
New

New Market to the Land-Tax in the Parish of *All Saints* in the said City (within which Parish the greater Part of the said Market is built) hath been productive of much Dispute between the said Committee of the said Market and the Proprietors of Estates within the said Parish of *All Saints*, and the said Committee and Proprietors have come to an Agreement, that so much of the said Market as is situate within the said Parish of *All Saints* shall from henceforth be considered as an Estate of One Hundred and Forty Pounds per Annum, and shall for ever afterwards be assessed to the Land-Tax in that Parish as an Estate of that Value :

*And forasmuch* as the Income from the Remainder of the said Market, which is situated in the Parish of *Saint Michael*, in the said City, is precarious and uncertain, it will be proper and expedient, and may hereafter prevent Disputes, to settle and ascertain what yearly Value that Part of the Market shall in future be rated at, to the Land-Tax within that Parish, and the Proprietors of Estates there have hitherto considered the same as an Estate of Forty-six Pounds a Year, and the same hath been accordingly charged to the Land-Tax at that Sum, and they are consenting that the same shall be established and fixed, so far as concerns the said Land-Tax, at that yearly Value :

*Be it therefore further Enacted*, That the said New Market, and all and every the Shops, Sheds, Stands, Stalls, and other Erections and Buildings therein, and all other Profits, Advantages, and Emoluments issuing and arising therefrom, or becoming due or payable in respect thereof, shall, for so much and such Part thereof as is or shall be situate and being, issuing, and arising, or becoming due or payable within the Parish of *All Saints* aforesaid, from henceforth for ever, so long as any Sum or Sums of Money, by way of Land-Tax, shall be imposed upon the same Parish, by any Act or Acts of Parliament now in Force, or hereafter to be made, be rated and assessed to the Land-Tax within the said Parish of *All Saints*, as an Estate of the yearly Value or Income of One Hundred and Forty Pounds, in the same Proportion, Manner, and

and Form, as other Estates within the said Parish are rated or assessed to that Tax, according to their respective Rents or Values; and that so much and such Part thereof as is or shall be situate and being, issuing, and arising, or becoming due or payable within the Parish of *Saint Michael* aforesaid, shall from henceforth for ever, so long as any Sum or Sums of Money, by way of Land-Tax, shall be imposed upon the same Parish, by any Act or Acts of Parliament now in Force, or hereafter to be made, be rated and assessed to the Land-Tax, within the said Parish of *Saint Michael*, as an Estate of the yearly Value of Forty-six Pounds, in the same Proportion, Manner, and Form, as other Estates within the said Parish are rated or assessed to that Tax, according to their respective Rents or Values.

Penalty on making Obstructions in the Avenues from the High Street to the Market.

*And whereas* frequent Inconveniencies arise by Persons driving Wheelbarrows, and leading or riding Horses, through the Avenues from the *High Street* into the said Market; or by vending or exposing to Sale Fruit, Garden-Stuff, or other Matters or Things within such Avenues: For Prevention whereof, *Be it further Enacted*, That if any Person or Persons shall hereafter drive any Wheelbarrow, Sledge, Cart, or other Carriage; or ride or lead any Horse, Mare, or Gelding, loaded or unloaded, through or into the said Avenues, or any of them, or shall vend or expose to Sale, within any Avenue or Passage leading into the said Market from the said *High-Street*, any Fruit, Garden-Stuff, or other Matter or Thing whatsoever, he, she, or they shall forfeit and pay any Sum not exceeding Five Shillings, nor less than One Shilling, for every such Offence, to be recovered and paid in like Manner as other the Penalties inflicted by this Act.

Lamps.

*And whereas* some of the Penalties laid by the said former Act upon Persons wilfully breaking or damaging Lamps have not proved sufficient to prevent such Offences:

*Be it therefore further Enacted*, That from and after the passing of this Act, if any Person or Persons shall wilfully break, throw down, or otherwise damage any  
of

of the Lamps erected by Virtue of the said Act, or any of the Posts, Iron, or other Furniture thereof, or shall extinguish any of the said Lamps, every such Offender shall forfeit and pay the Sum of Twenty Shillings for each Lamp so broken, or thrown down, damaged, or extinguished as aforesaid, any Thing in the said former Act as to the first or second Offence to the contrary notwithstanding; and the same Methods shall be pursued for enquiring into, recovering, levying, and applying the said Penalties, and otherways punishing the Offenders, as are respectively prescribed by the said former Act, with respect to the like Offences committed by Persons matriculated, or being Members of the said University, and by any other Person or Persons.

*And be it further Enacted*, That if after the passing of this Act any Common Stage Waggon, or Stage Cart, or any Post-Chaise used in travelling for Hire, shall be left to stand, or continue in any Street, Lane, or publick Way, or Place, within the said University or City of Oxford, or the Suburbs thereof, or the said Parish of Saint Clement, or in any Part or Parts thereof, with or without Horses, or other Cattle, longer than the Space of One Hour, at any one Time, the Owner or Owners of every such Waggon, Cart, or Post-Chaise, shall for every such Offence forfeit and pay the like Penalties and Forfeitures, and be liable to the like Prosecutions and Punishments, and the said Waggon, Carts, and Chaises, shall be disposed of and dealt with in such Manner as is provided in the said former Act with respect to Stage Waggon, and Carts, standing or continuing in the principal Streets mentioned in the first Schedule to the said Act annexed, and to the Owner and Owners thereof.

*And be it further Enabled*, That from and after the passing of this Act, if any Person or Persons shall lead or ride, or cause to be led or rode, any Horse or Horses, in any Street, Lane, or other publick Way or Place, within the said University, City, or Suburbs, or Parish of Saint Clement, for the Purpose only of exercising such Horse or Horses; or if any Person or Persons shall set,

place, or expose to Sale, or cause, permit, or suffer to be set, placed, or exposed to Sale, Fruit of any Sort or Kind, on the Foot or Carriage Way of any Highway, Street, or Lane, or in any publick Place within the said University, City, Suburbs, or Parish of *Saint Clement*, except in the New Market established by the said former Act, every Person so offending in any or either of the said Cases, shall for the first Offence forfeit and pay the Sum of Ten Shillings, for the second Offence the Sum of Fifteen Shillings, and for the Third and every other Offence the Sum of Twenty Shillings.

Projecting  
Blinds.

*And be it further Enacted*, That the Powers and Authorities by the said Act given for preventing Nuisances and Annoyances by Bow-Windows, Window-Shutters, and other Things therein enumerated, shall extend and be applied to projecting Blinds, in such and the same Manner as would have been, in Case the said Nuisance or Annoyance had been mentioned and included in the said Act.

Other Nui-  
sances.

*And be it further Enacted*, That the Powers and Authorities by the said Act given for preventing Nuisances by Hog-Sties, Necessary-Houses, Flesh, Dung, or other noisome Matters, in or near any of the principal Streets within the said City of *Oxford*, or Suburbs mentioned in the second Schedule to the said Act annexed, may and shall, from and after the passing of this Act, be executed and put in Force in and with respect to all the Streets, Lanes, Alleys, Ways, and Places, within the said University, City, and Suburbs, and Parish of *Saint Clement*, in as full and effectual a Manner, to all Intents and Purposes, as could or might have been done in Case it had been so expressed and directed in and by the said former Act.

Against  
emptying  
Pools of  
Stale into  
the Streets.

*And be it further Enacted*, That if any Person or Persons shall empty, or cause to be emptied, any Pool, or Sink of Stale, from any Stable, or other Building used for keeping Horses in, and throw out, or suffer the same to run into any Street, Lane, or publick Way or Place, within the said University, City, or Suburbs, or Parish of *Saint Clement*, except between the Hours  
of



of Twelve at Night and Four the next Morning, every such Person shall for every such Offence forfeit and pay the Sum of Ten Shillings.

*And be it further Enacted,* That the Clause in the Clause in said Act, directing, that the said Streets and other <sup>P. 42, as to</sup> Places shall be swept and cleansed twice in every Week <sup>sweeping</sup> by the Contractor, shall be and the same is hereby <sup>the Streets,</sup> repealed.

*And be it further Enacted,* That it shall and may be <sup>For con-</sup> lawful for the said Commissioners, or any Seven or <sup>tracting</sup> more of them, and they are hereby authorized, im- <sup>with Sca-</sup> powered, and required, from Time to Time, to contract <sup>vengers.</sup> with any Person or Persons for cleansing all or any of the Streets, Lanes, publick Passages, and Places within the said University, City, or Suburbs, or Parish of *Saint Clement*, Twice at the least in every Week, which Contract or Contracts shall specify the Work to be done, the Manner of, and the Times for doing it, and the Price or Prices to be paid for the same, and a Penalty or Penalties to be suffered for Non-performance thereof, and the same shall be signed by the said Commissioners, or any Seven or more of them, and the Person or Persons contracted with; but previous to the making of any such Contract, the like Notice shall be given of the Intention, as is by the said Act directed, previous to the making Contracts for Paving. And the said Commissioners, or any Seven or more of them, are hereby authorized and empowered to pay such Sum and Sums of Money as they shall so contract or agree for out of the Money to arise by Virtue of the said former Act and this Act, for the Purposes of Cleansing and Lighting.

*And be it further Enacted,* That no Person or Persons <sup>Nuisances</sup> shall throw, cast, or lay, or cause to be thrown, cast, <sup>by Filth,</sup> or laid, any Ashes, Filth, Offal, Dust, Dirt, Rubbish, <sup>&c.</sup> broken Glass or Earthen Ware, or other Annoyance whatsoever, in any of the Streets, Lanes, publick Passages, or Places within the said University, City, or Suburbs, or Parish of *Saint Clement*, or before any publick Building, College, or Hall, or any Dwelling-  
House,

House, Shop, Stable, or other Building, or Wall, in any or either of the said Streets, Lanes, publick Passages, or Places, but shall keep, or cause the same to be kept, within their respective Houses, Buildings, or Yards, until such Time as the Scavenger, or other Person or Persons contracted with or employed, under the Powers of the said former Act and this Act, to carry away such Ashes, Filth, Offal, Dust, Dirt, Rubbish, broken Glass or Earthen Ware, do come by or near their Houses, Doors, or Places, with a Cart or other Conveniency for carrying away the same, and then shall carry, or cause to be carried, the said Ashes, Filth, and other Matters and Things as aforesaid, out of their Houses, Buildings, or Yards, and deliver the same to such Scavenger, or other Person or Persons, upon Pain of forfeiting for the first Offence the Sum of Five Shillings, for the second Offence the Sum of Seven Shillings and Sixpence, and for the Third and every subsequent Offence the Sum of Ten Shillings.

Times of  
emptying  
Boghouses,  
&c.

*And be it further Enacted*, That if any Person or Persons whomsoever shall begin to empty any Boghouse, or to take away any Night Soil from any House or Place within the said University, City, or Suburbs, or Parish of *Saint Clement*, before the Hour of Twelve of the Clock in the Night, or shall continue to take away the same after the Hour of Five of the Clock in the Morning from *Michaelmas* to *Lady-Day*, or after the Hour of Four of the Clock in the Morning from *Lady-Day* to *Michaelmas*, or if any Person shall put or cast, or cause to be put or cast, out of any Cart, Tub, or otherwise, in or near any Street, Lane, publick Passage, or Place, within the said University, City, Suburbs, or Parish of *Saint Clement*, or within Half a Mile thereof, any such Night Soil, every Person and Persons so guilty of any such Offence or Offences shall for each such Offence forfeit and pay any Sum not exceeding Forty Shillings, nor less than Twenty Shillings.

Foot-paths.

*And whereas*, by a Clause in the said Act, Direction is given for sweeping and cleansing the Foot-paths within

within the said University, City, and Suburbs, and Parish of *Saint Clement* :

*And whereas* some other Direction is necessary to be given for that Purpose :

*Be it further Enacted*, That from and after the passing of this Act, the said Clause, and every Part thereof, shall be and is hereby declared to be then repealed ; and that from thenceforth all and every Person and Persons inhabiting within the said University, City, or Suburbs, or Parish of *Saint Clement*, shall sweep and clean, or cause to be swept and cleansed, the Foot-paths before their respective Colleges, Halls, Houses, Buildings, and Walls, upon every *Monday, Wednesday, and Friday* in the Year, between the Hours of Six and Nine in the Morning, and upon every *Saturday* in the Year between the Hours of Three in the Afternoon and Nine at Night, upon Pain of forfeiting for the first Neglect therein the Sum of Five Shillings, for the second Offence the Sum of Seven Shillings and Sixpence, and for the third and every subsequent Offence, the Sum of Ten Shillings ; and the Person or Persons complained of, or informed against, shall prove that the Directions of the Act had been complied with, or otherwise shall pay the respective Penalties.

Foot-paths to be swept by the Inhabitants.

*Provided always, and be it further Enacted*, That the Scavenger employed under the said former Act and this Act shall carry away the Filth, Dust, Ashes, and other Things, which shall be brought out from any House, Building, or Yard as aforesaid ; and also the Sweepings of the Streets, and other Places, immediately after the respective Streets, and other Places, shall have been swept, and shall likewise sweep and cleanse Twice in every Week all Foot-paths that do not adjoin to some College, Hall, or House, upon Pain of forfeiting the Sum of Twenty Shillings for every Neglect therein respectively, over and besides what Penalty he or they shall be liable to by Breach of Contract.

Scavenger's Duty.

To sweep Foot-paths not adjoining to some College, &c. Twice a week.

*And whereas*, by the said former Act, it is provided and declared, that no Person shall be capable of acting as a Commissioner in the Execution thereof, unless he shall

Recital of Qualification.

shall be in his own Right, or in Right of his Wife, in the actual Possession or Receipt of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, or possessed of, or intitled to, a personal Estate of Eight Hundred Pounds, under the Penalty in the said Act contained :

Further  
Qualifica-  
tion.

For further Security against improper Persons presuming to act, *It is hereby further Enacted*, That from and after the passing of this Act, no Person shall be capable of acting as a Commissioner in the Execution of the said former Act or this Act, until he shall have taken and subscribed an Oath before any Two or more of the said Commissioners, who are hereby authorized and required to administer the same, and which Oath shall be in the Words, or to the Effect following, that is to say :

Oath.

*I A. B. do swear, that I truly and bona fide am in my own Right, or in the Right of my Wife, in the actual Possession and Enjoyment, or Receipt of the Rents and Profits of Lands, Tenements, or Hereditaments, of the clear yearly Value of Forty Pounds, above Reprizes, or possessed of, or intitled to, personal Estate to the Amount of Eight Hundred Pounds ;*

any Thing in the said former Act contained to the contrary notwithstanding.

Fellows of  
Colleges,  
and Stu-  
dents of  
Christ-  
Church,  
may act  
without  
any other  
Qualifica-  
tion

*Provided always nevertheless, and it is hereby Enacted and Declared*, That all Persons who have been or shall be named or appointed by any College, or Hall, and all Members of the said University appointed Commissioners in or by Virtue of the said former Act, or to be hereafter so appointed, being Fellows of Colleges or Students of *Christ-Church*, within the said University, shall be to all Intents and Purposes Commissioners for putting the said former Act and this Act in Execution, in all Respects, except so far as relates to the Appropriation of the Tolls for the Amendment of the Mile-Ways, Stone Bridge, and Avenues thereto, without proving any other Qualification, or taking the above-mentioned Oath, any Thing in the said former Act or this Act, or in any other Law or Statute to the contrary in any wise notwithstanding.

*And*

*And be it further Enacted,* That all Penalties and Forfeitures by this Act imposed, the Manner of levying and recovering whereof is not hereby otherwise particularly directed, shall and may be levied and recovered in such Manner, and under the same Powers and Authorities, as by the said former Act is provided for recovering such Penalties and Forfeitures, and that one Moiety of the Money so from Time to Time recovered, both under the Authority of the said former Act, and of this Act, shall, after deducting all Charges and Expences incurred in recovering the same respectively, be paid to the Informer or Informers, and the other Moiety to the Treasurer, or such other Person as the said Commissioners, or any Five or more of them, shall appoint, to be applied towards the Purposes of the said former Act, or this Act, on Account whereof the said respective Penalties or Forfeitures shall have been imposed and incurred.

*And be it further Enacted,* That all the Expences incurred in and about procuring and passing this Act shall be paid out of the first Money arising by the Tolls or Duties and Rates which shall be collected by Virtue of this Act.

*And be it further Enacted,* That all the Clauses, Powers, Provisions, Regulations, and Authorities included in and granted or given by the said former Act, except such as are hereby repealed, shall, subject to and under the Alterations made thereto by this Act, be, together with this Act, executed and put in Force, for the Purposes therein and herein mentioned and specified, in as full and ample a Manner as could or might be done, if both the said Acts were but one Act.

*And be it further Enacted,* That this Act shall be deemed, adjudged, and taken to be a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same.



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